

# OCCUPATIONAL SAFETY AND HEALTH ACT OF 1969

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## HEARINGS BEFORE THE SELECT SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES

NINETY-FIRST CONGRESS

FIRST SESSION

ON

**H.R. 843, H.R. 3809, H.R. 4294, H.R. 13373**

BILLS TO AUTHORIZE THE SECRETARY OF LABOR TO SET STANDARDS TO ASSURE SAFE AND HEALTHFUL WORKING CONDITIONS FOR WORKING MEN AND WOMEN; TO ASSIST AND ENCOURAGE THE STATES TO PARTICIPATE IN EFFORTS TO ASSURE SUCH WORKING CONDITIONS; TO PROVIDE FOR RESEARCH, INFORMATION, EDUCATION, AND TRAINING IN THE FIELD OF OCCUPATIONAL SAFETY AND HEALTH; AND FOR OTHER PURPOSES

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### PART 2 And Appendix

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HEARINGS HELD IN WASHINGTON, D.C., OCTOBER 30;  
NOVEMBER 5, 6, 12, 13, AND 18, 1969; SAN FRANCISCO,  
CALIF., NOVEMBER 21, AND 22, 1969

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## OCCUPATIONAL SAFETY AND HEALTH ACT OF 1969

TUESDAY, NOVEMBER 18, 1969

HOUSE OF REPRESENTATIVES,  
SELECT SUBCOMMITTEE OF LABOR,  
OF THE COMMITTEE ON EDUCATION AND LABOR,  
*Washington, D.C.*

The subcommittee met at 9:45 a.m., pursuant to recess, in room 2257, Rayburn House Office Building, Hon. James G. O'Hara, presiding.  
Present: Representatives O'Hara, Hathaway, Gaydos, Esch, Collins, and Scherle.

Staff members present: Daniel H. Krivit, counsel for the majority; Loretta Bowen, clerk; Sue Nelson, research assistant; and Catherine Romano, secretary.

Mr. O'HARA. The Select Subcommittee on Labor will come to order.

The purpose of today's hearing is to continue the taking of testimony on H.R. 843, 3809, 4294, and 13373, all bills to provide for Federal standards for occupational safety and health and for other purposes.

Our first witness today is Mr. Anthony Mazzocchi, who is director of the Citizenship and Legislative Department of the Oil, Chemical and Atomic Workers International Union, AFL-CIO.

Mr. Mazzocchi, if you would please have a seat, we would be delighted to hear from you.

**STATEMENT OF ANTHONY MAZZOCCHI, DIRECTOR, CITIZENSHIP-LEGISLATIVE DEPARTMENT OF THE OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, AFL-CIO, WASHINGTON, D.C.; ACCOMPANIED BY STEVE WODKA, RESEARCH ASSISTANT, OCAW, AFL-CIO**

Mr. MAZZOCCHI. Thank you.

I am accompanied by Steve Wodka who is working with us as an intern as part of his work-study program at Antioch College. We planned to have Glenn Paulson with us this morning, but unfortunately he is hanging up over Washington, delayed by the fog. Mr. Paulson has assisted us in our program during the past year and I hope that we can add his remarks to the record. We will have to submit his statement after the hearing.

I won't read all of the testimony; it is voluminous, as you can see. I thought I would summarize and tell you about the experiences of the oil, chemical, and atomic workers in the area of health and safety.

Mr. O'HARA. Without objection, your testimony as submitted to the committee will be printed in full in the record of the hearing at this point and you may proceed in any manner you wish.

(Statement follows:)

STATEMENT OF ANTHONY MAZZOCCHI, CITIZENSHIP-LEGISLATIVE DIRECTOR, OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, AFL-CIO

Mr. Chairman, my name is Anthony Mazzocchi, I am Citizenship-Legislative Director of the Oil, Chemical and Atomic Workers International Union, which represents more than 200,000 workers in the oil industry, chemical industry and related industries.

I have with me Glenn Paulson, a biochemist and physical chemist from the Rockefeller University and co-chairman of the New York Scientists' Committee for Public Information, who has done extensive research into many types of environmental health hazards. He will assist me in answering questions which members of the committee may see fit to pose. Also with me is Steve Wodka, an Antioch College student intern, who has assisted our union to research some of this material.

In testifying today, we wish to take a somewhat different approach than has been taken by most of the other people who have appeared before you.

In the first place, we want to emphasize *environmental health* hazards in the plants where our members work, as contrasted to *safety* hazards. Talk of occupational safety unfortunately has created a semantic bloc, for when the average person thinks of safety he thinks of the avoidance of violent physical injury—falling from ladders, cutting off fingers in moving machinery, and that sort of thing.

Safety is important, and is too often neglected, but we submit that at this point in history workers are much more endangered by environmental conditions which threaten their health. Some of the toxic fumes, gases, chemicals and acids they are exposed to cause immediate and dramatic sickness or injury; others are slower and more insidious in their effects.

In the second place, our testimony today will emphasize comments and expressions of our members, working men who are exposed to health hazards, as these men see those hazards. We do not pose particularly as experts presenting hard facts, but rather as supplicants telling of our difficulties, pointing out some of the suffering of people, posing questions, and pleading to our government for assistance in finding the answers to these questions.

We see some of our members die due to exposure to toxic materials in the plant environment; we see others incapacitated in the prime years of life, and we see others suffer declining health which we are convinced is caused by long exposure to an unhealthy environment at work.

To obtain the stories of our members for relay to you, we have taken two approaches. We have circulated questionnaires to our 508 local unions in the United States, and I will give you a tabulation of the responses to those questionnaires.

We also have held four regional conferences in the United States and one in Canada in which our members have expressed their alarms and given their reports on health hazards.

They present a shocking story.

We have provided members of the committee with copies of the questionnaires as filled out by our local unions. A total of 149 local unions turned in these questionnaires. We eliminated 19 because of lack of application to this testimony, errors or other invalidating reasons. Please bear in mind that while most of our members are relatively well educated, some are not and could not cope with the questionnaires. This left us with 130 locals with workable answers to tabulate.

#### SURVEY FINDINGS

We find that, in a majority of the plants covered by these locals, companies do not post the known Threshold Limit Values, TLV, for chemicals, noise and particulate matter exposures. A majority of the companies do not use monitoring equipment to see that TLVs are not exceeded. A majority of those who do monitor do so only infrequently. Practically none of these which monitor permit the union to see the result of tests.

The majority do not make regular medical tests on the workers to determine ill effects, if any, of exposure to hazardous substances. Of that minority which does provide medical tests, a majority does not reveal the results to the union, so that it can properly represent its people in negotiations and in processing compensation claims. Most plants have inadequate safety programs. And so on—a sorry record of inattention to the health of the workers, particularly concerning long-term consequences of exposure to noxious dusts and chemicals.

A full tabulation of the results of these questionnaires is attached as an appendix to this testimony.

More dramatic than these frightening, but dry, statistics are the stories told in their own words by our men and women. They see suffering, often from strange and unknown sources. They get no answers to their questions. They are frustrated.

Please bear in mind that there are approximately 6,000 chemicals in daily use in America and that around 600 new ones are introduced each year.

Some of these are ancient and well-known killers of man: lead, mercury, zinc. Others have been known for decades: carbon monoxide, ammonia, chlorine. Some are the deliberately devised killers dating back to World War I: chlorine, mustard, and phosgene gases.

Some of these are well-evaluated by science. We know what lead is, and what it does, and yet it is permitted to kill and to do brain damage.

But of the 6,000 chemicals in daily use, health authorities have arrived at Threshold Limit Values on only about 500. The others remain somewhat mysterious, yet they are handled daily in industry—by other industries as well as the chemical industry—and they are poured out into the community.

The mad rush of science has propelled us into a strange and uncharted environment in which chemistry has taken the molecules of nature apart and re-formed them into new molecules which nature—man, beast and plant life—is not prepared to handle.

A man lost in a tropical jungle has at least one clue to what in nature is safe to eat and what is poisonous—he can watch the monkeys and eat only what they eat. A man working in the industrial-chemical jungle of today has no guidelines on many of the fumes he breathes or the fluids which seep into his skin.

#### OUR MEMBERS SPEAK

Let me give you a few examples from the working men in the plants.

F. Q. Hood of our Shreveport, La., Local 4-245 said: "Exposure to paranitroaniline and other gases changes the complexion of our men and bleaches their hair. Men sometimes turn blue and pass out after leaving the exposed area or even after leaving the plant."

(Chemists say that paranitroaniline destroys red blood cells.)

Said Darrell Whitaker, of Muskegon, Mich., Local 7-390: "We make phosgene gas and the products of phosgene gas: we make isocyanides; we handle a number of different chemicals. Our problem is that we have had one death and several cases of advanced asthma and one known case of emphysema.

"Before our union came into the plant (two years ago) they (the management) would just ease these guys right out the gates; if they had bad symptoms, they (management) would just find some reason to get rid of them and there wasn't a problem.

"We don't have any monitoring devices. The only thing we're concerned with is if it's explosive—then we'll go in and monitor so the place doesn't blow up. Without monitors, where we make the phosgene gas at least we know to put on the gas masks when we smell the stuff. Then if it isn't too bad and you've got to work there for a number of hours and you can stand the smell, why, you stay in there and work. We need information and monitoring devices.

"The average number of years that these guys have been working here is three years and their average age is probably between 24 and 25 years, and out of these 120 guys we've had one death of phosgene gas, several—I'd say six—of advanced asthma and that emphysema case that I mentioned."

Said Albert Nist, Ashtabula, Ohio, Local 7-509: "When we first started that plant in 1950 nobody really knew what they are doing. It took us about a year, then after that you could walk through the shop and you wouldn't smell any chlorine gas and that continued on until about 1956.

"Then the company fell upon hard times and they started to let their equipment go to the devil. And since then they've changed plant managers about

four or five times, the equipment is still going down hill, they're not spending any money on it and one of these days that plant's just going to go boom straight up in the air because it's just going to fall apart completely.

"They've got a very good percentage of hiring. They hire twelve men one week and nine quit. They just can't take the chlorine gas that's flying around in there. We've had guys who have had their lungs removed—half lungs—we've got guys who've been forced to retire because they just couldn't take it any longer.

"Right across the street there's a plant—I don't know what they're making over there, nobody can find out. Our chief steward of maintenance is on the Safety Committee for the City of Ashtabula on air pollution and he tried to get into the plant to find out what they are making but they wouldn't let him in. But something got loose over here and drifted over into our plant and put 14 of our guys into first aid. And we had two of our guys lose their sight for a few hours due to the effects of this stuff and we can't even find out what's going on over there."

Gentlemen of the Committee, please do not think that just the workers are endangered; the entire community is endangered, as the above incident shows.

Bill Ricks of our Port Arthur, Tex., Local 4-23 works in the largest oil refinery of one of our largest oil companies in America—Texaco. It refines what is known as "sour" crude petroleum, meaning that this petroleum contains a lot of sulfur. If the companies want to go to the trouble, they can refine the sulfur out and sell it. But in many cases it is allowed to escape into the air in the form of hydrogen sulfide—a very dangerous chemical.

Ricks said to us: "Hydrogen sulfide has knocked out several men on the job. All the company has done about it has been to build a higher stack to carry the fumes away from the workers. There is no instrumentation to warn of the presence of harmful gases, but on occasion the smells get so strong the men just walk off their jobs."

John Hocking of our Texas City, Tex., Local 4-449, who works in a large refinery of American Oil Co., tells a different story of how the community suffers. He reports that several members of his local have been killed by hydrogen sulfide. Complaints made by people in the community have caused company management to inject a substance called "Mum" into the stacks when the smell gets bad. "It's nothing but a perfume," says Hocking.

Leo Reidel of this same local told us. "We have a very hardy tree in our neighborhood, but sometimes after a night of heavy fall-out from the plant, we go outside in the morning to find most of the leaves have fallen from this tree."

Walter Mottin of Monsanto, Ill., Local 7-347 told us they sometimes have spills of powdered arsenic in his plant. Asked what was done about it, he said, "Why, we just hose down the room where the spill is and it goes into the sewer and on out into the river."

Here is a statement from Tom Grasso of New York City Local 8-584, given at a conference in New Jersey:

"We are in the paint industry, specifically with Sapolin Paints in Brooklyn which also has a warehouse in Edison, New Jersey. We manufacture house paint for walls and exteriors, and also marine paints. And the area that I am particularly interested in is the marine paints that we manufacture.

"We also manufacture aerosol sprays: you know, like you spray your little odds and ends at home with a small can. And in that aerosol, for example, we use a propellant, a form of propane gas. It is interesting that when we first began manufacturing this particular type of product, it was manufactured in Brooklyn, but, because of the laws of New York State, we were not permitted to use propane as the propellant in this product. So they moved the operation over to New Jersey, which allows propane to be used as a propellant, believe it or not. Naturally the cost of Freon which was used in Brooklyn is much more expensive than propane, which is very much less expensive in New Jersey. So you Jerseyites are a little lax in your laws, too.

"We use various chemicals in the manufacture of paints, especially in marine paints. I've listed some of the chemicals that we do use: xylene, toluol, various types of ketones, acetates, mineral spirits, and many, many forms of alcohol. I've had experience with various of these chemicals myself.

"I recall one time, when I was cleaning out a five hundred gallon tank, and I used toluol to clean the interior. Unbeknownst to me, the fumes in the tank were getting to me, although I could smell the odor of the toluol at the time.

I was in such a hurry to get the tank clean, and all I needed was a couple more swashes around, and I would be done, but those couple of swashes caused me a fright. I was really frightened because what happened was, I just passed out. I just passed out completely, just fell asleep on the floor, and later I was taken out and was walked around the block like a dog to clear my system of the fumes I had inhaled.

"We have no idea of just what levels these chemicals that we use in manufacture of this marine paint causes in our members, but we do have rooms where the finished product is put into cans. I had not been working in the vat area for about the last seven, eight years, so my system has been kind of cleared, I think, of all the fumes I'd inhaled. But just the other day I had occasion to walk into this room here, to speak to our Secretary-Treasurer, and, the moment I opened the door, the fumes of this particular paint which they were filling, got to my nose and I just shook my head and kind of cleared all my senses; I was getting dull, just by the fumes in this particular room. We have been assured that the ventilation is proper in this room, but I question it very, very much. The boys who work in this room, apparently are acclimated to the odors there, but what damage they are getting from inhaling this constantly is unknown to us.

"Years ago, when I worked with this area, to give an example, when I went home at night, when I kissed my wife when she greeted me at the door, she always used to be able to tell me what chemicals I had been inhaling that particular day. And that's a fact. Sometimes it was alcohol; sometimes it was acetates; sometimes it was a very sweet-smelling chemical.

"Anyway, the paint industry, among other industries, is one industry which uses quite a varied amount of chemicals, and I haven't even mentioned the pigments that are used. We do use poison in some of our paints, especially in our marine paints, specifically to offset the effect of barnacles on the hulls of ships. For example, they use a form of mercury in the pigment of hull paint, to kill any barnacles that attach themselves on to the hulls of ships. And red lead and copper and all those things; it's really amazing. This is aside from ordinary pigments that are used in the manufacture of paint. And if there is any way that we can find out the level of danger that these chemicals and pigments present, to help our members in the industry as a whole, we would appreciate it very, very much."

At one of our conferences, we had a guest, John Dacey, from an independent union representing employees of Union Carbide Co. at Boundbrook, New Jersey. Here is what he had to say:

"We have one heck of a company to work for when it comes to safety. You cannot say they're neglectful; they're criminal! Absolutely criminal, and I want the record to show it. Their doctors deserve some sort of a medal because of the millions of dollars that they have saved this corporation.

"Recently, on taking office, we had to call the state investigators in. We had men who were exposed to possible mercury poisoning. In heated ovens they were performing electrical tests. People became very alarmed at this. Seven or eight men were tested. The company told us all we needed was a urine test. Ten, twelve weeks go by, no answer. Through a third party the men find that they are in the safe zone. We find the same identical test at another building at the other end of the plant. We had this area examined. It took six weeks to get the men to the doctor; another six weeks to get an answer.

"We became suspicious. We picked a man from each area, sent him to a doctor at eight thirty Monday morning; in the two o'clock mail on Tuesday, we had the results. We also had a blood test taken, which was also required, which the company did not even take.

"We use asbestos in large quantities in some of our Phenolic Division, a material that we make. These men are only now, since the militant group took over the union, only now, asking the men, after thirty-five years of operation, to take X-rays, because they know that we're going to double check them.

"We use vinyl chloride in one of our buildings. Vinyl plastic we manufacture. I was very interested in listening to one of the previous speakers, because we now have three men, with better than fifteen years seniority, on permanent and total disability with emphysema.

"We have a janitor there now who worked on a mill, a two-roll mill, for twenty-five years, breathing these fumes. He can hardly breathe. The company is afraid to let him go, because they know what's going to happen, because we're going to be right on top of them. This man is almost blue, almost all the time. He has to go to the doctor every two weeks. His own doctor.



"These are the things that are going on in our plant. And I'm sure they're going on in many other plants. Many others. We have dust and fumes where you can't even see across the room and the boss says, 'It won't hurt you. Look at so-and-so; he's been working here fifteen years.' Five years from now he might drop dead, but right now he's still walking, so we shouldn't worry. This is the kind of attitude we have. A man goes to the dispensary; he hurt his foot. 'It's perfectly all right; you just bruised it.' Three days later the man can't walk. He comes back in, after seeing his own doctor. He's got four bones broken in his foot.

"This is the kind of thing that we have to tolerate, by callous, uncaring, criminal-acting management. And I came here today with the intent of making this public, and adding some of the independent unions' voice to the very hard, uphill fight against the massive money that is made available by the National Association of Manufacturers and the other people that are in their line of work, to make it cheaper for them to operate, regardless of the cost in human life.

"Now we work with a chemical known as dicumyl peroxide. It's somewhere around 50 ppm. There's a maximum exposure; I can be corrected on that; I'm not sure. But I know one thing. We ran a test on a product right outside of a door that lead to a room where this was added to polyethylene plastic, to cross-link the molecules. Now when we performed this test, every once in a while, for some unknown reason, the test would go way out of proportion. We would learn that every time that door to that room opened, this test was invalid, and there are men working in that room. They moved the test to the other end. They didn't put any better ventilation in, but they moved the test to the other end of the room, the other end of the lab.

"These things are going on all the time. Every day we are faced with it. We attempted upon taking office, to make our safety committee function. We have had one roadblock after the other, and only after the Union threatened top management that we would disband our safety committee and have a leaflet out at the gate to that effect to tell the people why, go to the press and tell them why, go to the National Safety Council and tell them why, and then go to their insurance company and tell them why, only then did they agree to let our safety chairman, who I brought with us today, even go in once in a while and check something.

"Well, we've only begun to fight. There is no limit that we won't go to, to see that our workers are safer than they have ever been, but we have only scratched the surface."

Steven Lawrence, a guest from another union in Linden, N.J., had this to say to one of our conferences:

"I can't get any cooperation from my union on our problems at American Cyanamid. Management certainly isn't going to help me try to get the necessary information that I'm trying to obtain. Recently we had a fatality, two years ago this February. A young fellow, nineteen years old. He was overcome by hydrogen sulfide gas. The company management notified the newspaper that the man died of a heart attack in a parking lot. The man was taken out of the plant, an autopsy was performed, and the evidence was presented to the union, which did very little, if anything, to help this man's family or relatives.

"Now I came here today to try to find out—I knew the scientists would be here—what the crippling effects of acrylamide might be. We've had six or seven people that have suffered strokes, paralysis. One of the men became blind about a year ago. Now this acrylamide is also used in all acrylic-based paints.

"I have labels here of many of the products that we handle, which are very toxic: malathion, parathion, thiamide, xanthate, and maybe fifty more.

"But what I'm interested in now, is finding out exactly what the crippling effects of this acrylamide is. Because everybody in this plant is exposed to this, due to the faulty equipment that management has installed there. They're only concerned with a production yield, not a safety standard."

#### MULTIPLE CASES IN ONE PLANT

Last year I testified before this committee and brought before it a witness from our Local 8-3660 in Sayreville, N.J. A story was told then of death and injury from carbon monoxide in the National Lead Co. plant there.

Here are some more up-to-date comments made by President Peter MacIntyre of that local:

"Now since Tony and Ray, and a few scientists, came to our plant last year, we did make some improvements. However, this is a report of what is still happening to our people. Now, the people who have been gassed, these are some of the symptoms that they suffer from: they can't get their breath; they have chest pains, or a thickening of the chest; the back of their neck is sore, perhaps from coughing; they have sore throats; sometimes they feel sick for a day or so. They have upper respiratory infections; they have a slight pressure for several hours afterwards in the chest; they have vomiting, dizziness, headaches, blurred vision, loss of memory in some cases.

"Now the treatment: some have oxygen, fresh air, peppermint cough syrup, penicillin, and one X-ray. The people that have suffered from carbon monoxide have similar symptoms to those I've just mentioned, except in one case that we had, we feel a brain hemorrhage resulted. We've also had a man die of CO. Now this death actually occurred outside of the plant. We feel that it was a result of working in the plant.

"Now we have many questions to ask here, but some of them are these: What can be done, what can be told about gases when they're mixed together, such as chlorine and titanium tetrachloride? Now we have operators who have been working with these gases and fumes since 1961. We'd like to know what's happening to these people. Some of them have been taken out of the plant. Some of them, nothing has ever happened to them. We would like to know, would wearing clothes that smell from chlorine be dangerous? We have people who continuously have their clothes saturated with the fumes of chlorine.

"We have had many serious cases. Incidentally, we have made up a form for our people to fill out. We have had our safety chairman and our safety committee people go out and check with our people and this is a typical one. The man's name is Stanley Wollana, his clock number is 930. He's a mechanic in the Chloride Department. He's been on this job for three years. Now the question that we have asked them all is, 'Have you ever been overcome by gas at the Chlorine Plant?' The answer is, 'Yes, chlorine, carbon monoxide, and aluminum chloride on numerous occasions.' Aluminum chloride brought on his heart attack. He was making repairs to an automatic valve and he was the only man—it was above the opening on this unit—he got finished and he collapsed. They took him to the hospital, and, I think it was two days later, they said he had a heart attack and they put a pacemaker on his heart.

"He survived and we come to the question: Was this a compensation case or was this a health and accident case? Now when I called the personnel people on this, they didn't have the answer. They had to call New York. And the people in New York decided that this was a simple case of a man having a heart attack. And we disagreed with it. As a matter of fact, we instructed our brother member to get a lawyer, and there's a top case on it now.

"Now here is a statement from him. 'Prior to my admittance to the hospital, in this particular instance, I was overcome by inhaling, on numerous occasions. The usual effect left the throat very irritated and a feeling of pressure on the chest, sometimes remaining for two or three days afterwards. In this particular instance, because of malfunction, I was recalled three times, within three hours, to the automatic valve, emitting fumes. The fumes in the reactor were from aluminum chloride. After completing the job, I was subjected to the same feeling: scratchy throat, pressure on my chest and difficulty in breathing. On hitting the outside air, I passed out completely.'

"Admitted to the hospital, in the interim, on the third day, I developed a blood clot on the wall of my heart. As a result of this I was confined to the hospital for four weeks. A total of five months elapsed before I was able to return to work. I am back on the same job, but I am now incapacitated to a degree of limitations I previously have not experienced. Climbing and walking for extended periods leaves me breathless and exhausted. I am unable to lift heavy objects and I feel difficulty in breathing upon completing a job. In general, my strength is completely exhausted within the course of a day. One thing, luckily, I can tell it myself instead of having it written about me."

"Now we have another one. Matthew Panzarella, March 28, 1969. Three years in the Chloride Department. 'On January 30, 1969, I was overcome with CO, was given oxygen at the dispensary, and sent to the doctor. I was given pills and I have pressure on the left side of the head and terrific pains, also nausea. My left side of face is still numb upon this date. I also lost nine days due to pains in the left side of my head. I am also suffering from nerves and still being

treated by a doctor. One pill for opening the arteries, one pill for the pain in my head, and one for vitamins.' Each of these pills, he has to take daily.

"Now these are some of the complaints that have become standard. People continue to have sore throats, some have red eyeballs, also coughing. Most cases they have chest pains. In some cases they have a pain in the back of the neck.

"Now we would like to know, would it help to clean the person's nose out after gassing, as it is not being done, and the fumes do bother the person? We have had cases where the doctor will prescribe over the phone how to treat these gases. Now we'd like to know can cold oxygen be given to men without damage to their lungs? Now some men are not getting oxygen, but pure air.

"After getting gassed, sometimes men are checked by the nurse only. We would like a better physical for men, such as blood tests, X-rays, and other similar tests. Some men have not been able to smoke and some have always a tired feeling.

"Now here's a slight sampling. Dan Staley, Clock Number 128. Chloride Department. Pipe Fitter Trainee. 'I've been on this job one month.' Another question, 'Have you been instructed on safety?' The answer is, 'Yes.' 'Have you been overcome by gas at the Chloride Plant?' 'Yes.' July, 1967, was the date. 'What were you doing at this time?' Sitting outside the conversion building. I had just finished eating lunch. 'Did you require medical treatment?' 'Yes.' 'Do you have any remarks to make?' 'Yes. Removed to Perth Amboy Hospital for medical treatment. Lost two days' work. Received Workmen's Compensation. Required three months of medical treatment outside the plant.'

"Now, all of these are signed documents from our people. We have one here: Richard Elliott, Clock Number 103. Platform Man. 'How long have you been on the job?' 'Two months.' 'Have you been instructed on safety?' 'Yes, one day.' 'Have you been overcome by gas in the Chloride Department?' 'Yes. Chlorine tickl-4 (titanium tetrachloride).' The date was 1967-68. He was doing his regular operating job. The treatment was cough syrup. 'Do you have any remarks to make?' 'Still have sore throat, chest pains, under doctor's care occasionally.'

'Robert Hawkins, Clock Number 924. Conversion. B Operator. Two years, five months on the job. 'Have you been overcome by gas at the Chloride Department?' 'Gassed ten times at least. Don't recall the dates, but they were 1968.' 'What were you doing at this time?' 'Pressure checking. Sometimes just being in an area where a leak happened and just not getting out in time.' He was treated with cough medicine. And his remarks are: 'These times of being gassed one would feel sick for a day and sometimes more—the next day, according to the amount breathed in.'

"Robert R. Frazer, 935. Chloride Department. Pipe Fitter Trainee. He's been on the job approximately three years. 'Have you been instructed in safety?' 'Yes.' 'Have you been overcome by gas at the Chloride Plant?' 'Yes, but not to this extent, tickl-chloride and CO.' The date was 1/10/69. 'What were you doing at this time?' 'I left the job. Conditions did not permit us to finish. With reporting back to the shop to notify the foreman, overcome at the shop. We received treatment from the first aid squad, dispensary hospital. And on 1/15/69 from the doctors.'

"He wasn't released until later. 'Did you have any remarks to make?' 'Yes, nose should have been cleaned afterwards. People have been overcome with gases. Clothing should be removed and changed. Clothing carries fumes and causes severe headaches. Headaches, tightness of chest, sore, raspy throat. After and during the period very easy catching cold.'

"Floyd W. Garden, 331. Mechanical. Fifteen years on the job. 'Have you ever been overcome by gas at the Chloride Plant?' 'Yes, CO.' He was working on a Nash compressor and spent five days in the hospital and five days off of work.

"Chris Michaelson, 151. Pump Mechanic. Twenty-seven years. This man had no training with air masks. 'Have you ever been overcome by gas at the Chloride Plant?' 'Yes. Become chlorine fumed November the 15th, 1968.' He was on his job site. He was taken to a doctor for treatment. His remarks are: 'Have not been feeling too well after this incident. Come down with upper respiratory infection; lost three weeks work.' He was treated by two doctors; specialists, eye, ear and nose.

Charles E. Chek, 477. Conversion Swing Operator. Eighteen months. He was overcome twice. Had to be treated first by the man on the shift. He was checking

a line up. No medical treatment. Just cough syrup. Some of our people feel when they've taken this cough syrup, it's not medical treatment. 'The pressure was caused by an intake of chlorine fumes that remained in the chest. And one can still feel slight pressure for several days afterward. I feel that this survey is a step in the right direction, but it should be followed through with everyone participating, with strong encouragement on the part of the union.'

"Dennis Quinlan, 1951. Chloride Operator. He was just made ill from chlorine gas. He was out doing his regular job. He was taken to the doctor's. He had sore throat, dizziness and headaches.

"Theorode Andrews, Chloride Department. 681. Shift Pipe Fitter Trainee. 'Have you ever been overcome by gas in the Chloride Department?' 'Yes.' He was on the way back from a job. He was gassed. He got medical treatment 1/10/69, 1/14, 69, and is still going. 'Do you have any remarks to make?' 'Yes. The nose should be cleaned out and clothes should be changed immediately after working around chlorine.' He still suffers from headaches and chest pains, plus a sore throat.

"T. F. Wisneski, 656. Mechanic Pipe Fitter. Twenty-nine years. He was gassed doing a pipe fitting job. 'Did you require medical treatment?' 'No. Just sick to my stomach and chest pains.'

"Tom Callaher, 1324. Chloride. A Special Operator. Two and a half years. He was overcome last spring starting up B Line Nash. He was given cough syrup. 'While starting up the Nash furnacing, when positive, causing back pressure and extensive gas fumes in the Nash area. While getting off the Nash platform, I stumbled and hit my head on a rail. Fumes were so bad that other operators could not get to me to help me. I managed to get down, trying to hold my breath and proceeded to cough and throw up in the street. The foreman went inside and brought out some cough medicine. After sitting in the street awhile, I went inside and threw up some more. After a few hours I felt a little better.'

"Arnold Jensen, 537. Chloride. He was overcome on January 10 from carbon monoxide. First aid treated him. He was in the hospital for five days.

"Ronald S. Herman, 727. Conversion. Miscellaneous Helper in Chloride. He was overcome with CO. He was working on the job, washing out the filters. He was given oxygen by a doctor.

"Gregory Hanson, 1404. Chloride. Nash Off-gas Operator. He was on this job for four months. He was dropping a knockout bomb; accumulated gases. He did not receive medical treatment. He only coughed a lot. His eyes were irritated. He had headaches.

"Arnold Green, 130. Chloride. He was overcome by chlorine approximately one and a half to two years ago, resetting a button on a generator. He was hospitalized for a couple of hours.

"Vesef, 1341. Chloride Department. Special Operator. He was overcome by carbon monoxide fumes. He was getting ready to relieve a pulp tank operator when he was overcome. He was taken to the hospital, but he refused treatment. He was lost, pressure went down, and he went out in the middle of B Line. This was when he was overcome with fumes.

"Joseph Boller, 710. Chloride Department. Acid fumes and aluminum chloride fumes 1/17/69. He was pressure-checking a system, walked through a door to the stairway, inhaled some more fumes, and then he went down to the shop. He was given oxygen, taken to the doctor, required X-rays. Now any remarks made with the system used to pressure-check? 'A-Line system is quite poor. There is a general lack of communication between operators doing the job. There isn't any breathing device that can be used by the person doing this work. The ammonia squeeze bottles used to locate the leaks are totally inadequate.'

"Dave Anderson. He was overcome with chlorine and tickl-4 in February, 1968. He was checking his equipment. He was given treatment at the hospital, given oxygen, and needles for nerves, and he spent sixteen hours in the hospital.

"Tom Prowley. He was overcome with chlorine, January 3, 1969, checking operating equipment. Water liner packing was frozen and fumes escaped. He was sent to the doctor, had X-rays and capsules to take.

"Tom Inferno. He was overcome with carbon monoxide 12/8/67. He spent six weeks in the hospital, under intensive care, plus ten days in a regular room. Results of this gas attack, he had a brain hemorrhage.

"Now we have some more of these. Going back to last year, when we had Tony down to our plant, and scientists from Rockefeller Institute, we had new meters installed. We have a man who does nothing but take care of these meters. The

meters have been cut down to the 50 ppm that was recommended. Yet our safety people still go out and find some of them creeping up from the 50 to 100 and more. The company then put one of their safety people up in the same Chloride Department. I think our safety people spend more time getting him to do something than they spend getting these things corrected. Now we have a safety chairman that spends just about eight hours out of every day taking care of safety problems. We also have an agreement where two men are there at the tank; no man goes in alone.

"We have done all of these things, and yet we end up with all of these documents where people are still being overcome. We still have a constant battle in getting them to shut down a unit. We have, what they tell us to be, the most up-to-date equipment. We have a man full time checking this equipment; we have safety people out there. We have safety people in the areas, that do a tremendous job for our people. The chairman of our safety committee, again, spends just about eight hours every day out there. In spite of all this, we still end up with people being overcome, people becoming sick, and they don't have the answers. "Now some time ago, I went over to Rutgers, where Leo was giving a class, and, again, we find the same problems over there. The same people go there with the same problems. I don't know, sometimes, how Leo can continue to have the courage to fight this battle. Because wherever I've heard him speak, including here, there are always lists like this. Always people that are being injured. Always people that are suffering."

Some of our members tell stories which reflect incredible lack of concern on the part of company management. Ira Hoard of East Chicago Local 7-334 reports that members of his local often are overcome by chlorine gas and that dust often is so thick that men have to leave the job.

In that plant is a device called a chlorine scrubber which is used to remove the gas from the air, but Mr. Hoard tells us the scrubber is often clogged up so that it is ineffective. It would appear that simply by keeping the dust down, the company could free the men from the chlorine danger.

Mr. Hoard reported that whenever a complaint was made to management, the management promised to take care of it "tomorrow," but that "tomorrow never seems to come."

"We have a big problem of absenteeism," Mr. Hoard says. "We think it is because of the bad health conditions in the plant, but the company just accuses the men of buying certificates of illness from doctors."

#### NERVE DAMAGE

One of the frightening aspects of certain chemical exposures is that so many of them cause nerve damage. Gases such as carbon monoxide and hydrogen sulfide, small oxygen-containing compounds such as alcohols and ketones, and metals such as mercury and tetraethyl lead are some of the chemicals with known effects on the central nervous system.

One example comes from the manufacture of a very common household item—matches. Nedas Gauthreaux of our St. Rose, La., Local 4-447 reports that workers in a match plant there—most of them women—have numerous nervous breakdowns, that they seemingly become uncoordinated and have more accidents—at work, at home, and while driving. Perhaps the campaign for highway safety needs to begin in the work-places.

Lance Brien of the same local told us about a man in an American Cyanamid plant who was off work for sickness for two extended periods because of exposure to acrylamide, a component of the commonly-known acrylic paints. He has been bedridden and he continues to suffer an extreme nervous condition.

This worker had adhered to the safety precautions of using a respirator, wearing gloves and coveralls and showering after working with acrylamide. Another employee in the same plant developed a rash from his head to his toes after working with acrylamide.

Six or seven workers have suffered paralysis in an American Cyanamid plant in New Jersey, where they are exposed to acrylamide, and one of them became blind in 1968, according to previously quoted statements in this presentation by Steven Lawrence of Linden, N.J.

Poisoning from acrylamide has been reported in six cases in England over a three-year period. Yet in England in February, 1967, American Cyanamid assured the doctors emphatically that they had no knowledge of any humans

having suffered from acrylamide, according to the October 21, 1967, issue of *British Medical Journal*.

Acrylamide has a chronic effect on the nervous system; a peripheral neuropathy and a mid-brain disturbance. The first symptoms are fatigue, lethargy, drowsiness, muscle pain and weakness, increased sweating, dermatitis, tremors, slurring of speech, sensory loss and bladder disturbance, according to the same publication. It can reasonably be presumed that these make a worker very vulnerable to the physical hazards of a plant and thus increase his body accident risk.

You have heard about the Rocky Mountain Arsenal, on the edge of Denver, where the Army stores nerve gas. A section of that facility is leased by Shell Chemical Company for the manufacture of insecticides. The men process deadly poisons in concentrated form.

An independent medical group has been making a long-range study of these men, to determine the effects on them of this exposure. We expect this report will be issued soon.

But, meanwhile, Fred Mosher of our Denver Local 2-477 comments, "I know the men have some sort of problem. There's a drinking problem. There are divorces. You feel funny when you sit down to lunch with twelve or fifteen of the fellows and find that you are the only one still on his first marriage—the rest have been married two or three or more times. There are a lot of domestic problems. And every time you see a guy open his lunch bucket you see a bunch of pills, a lot of the guys are gobbling nerve pills."

Members of the committee might suggest that this member's comments should be withheld pending the more scientific medical study which is due to be written soon. But, gentlemen, I suggest to you that the general, vague unease felt by Mr. Mosher is representative of a state of mind that haunts tens of thousands of our members. They know something is wrong, they lack precise information, and this makes them all the more apprehensive. They are pleading for help in finding their way in this generally invisible chemical jungle they must work in. We desperately need more research.

#### MORE SPECIFIC COMMENTS

Let me hurriedly report some more brief comments from our local unions:

From Cleveland, Ohio, Local 7-148 (Glidden Paint Co.): "Our people are being overcome from fumes created by TDI, maleic anhydride, melamine."

From Zionsville, Ind., Local 7-535 (Rock Island Refinery): "One area that needs attention at our plant is the compressor house. It is very gassy. The men complain, but the company lets it roll off their backs. The noise has affected our hearing. The company has no alarm systems in the plant for the detection of leaks, such a gas as the dread hydrofluoric acid. If you have a good complaint, the loud-mouth company safety men usually win out, they know so much! After all, the poor worker is too dumb to realize the dangers he's involved in every working day of his life!"

From Carteret, N.J., Local 8-398, with members working for American Oil, General American Tank Storage and American Mineral Spirits: "Many of our people just feel rotten. They experience headaches, tightness of the chest and coughing spells. The quality of life in such a plant is just miserable."

From Kansas City, Kans. Local 5-604 (Phillips Refinery): "We have had two more carcinoma deaths since you testified one year ago. Another big problem is hydrogen sulfide poisoning. There have been 21 of these accidental poisonings since 1961. They shouldn't be called accidents, because each one happened because of short cuts the company was requiring the employees to take in the interest of time. My views can be summed up in just two words, total frustration."

From Local 5-217, Tulsa, Okla., Texaco refinery workers: "In the refinery we are concerned about the number of people dying from cancer. We believe that so much cancer is related to breathing hydrocarbon fumes."

From Augusta, Kans., Local 5-246 (Mobil Oil refinery): "Walsh-Healey is not worth a d--- as it is working today nor will it ever be until the people who work in these plants are given a chance to accompany the inspector, along with company representatives."

From Chester, Pa., Local 8-234 (BP Oil refinery): "Cat reformer unit operated under high pressure which manufactures hydrogen gas. No instruments, no alarms to detect leakage. H<sub>2</sub>S unit unmonitored. Gas compressors throughout refinery in closed areas—no detecting devices to monitor gas concentrations. No monitoring of carbon monoxide from fork lifts in barrel house."

From Westville, N.J., Local 8-639 (Texaco refinery): "At present a plant flare line is full of holes with gas being emitted to atmosphere instead of being burned at flare."

From Newark, N.J., Local 8-406, which has members in 20 small chemical plants: "Workers (in one plant) are having trouble with beta-naphthylamine. This is a very hazardous substance—so bad that it has been banned from the State of Pennsylvania. Beta-naphthylamine can cause tumors and cancer of the bladder after long and continued exposure of even small amounts."

"Seems new chemicals are coming in and even management doesn't seem to know much about them."

Beta-naphthylamine's safe Threshold Limit Value is zero—any exposure is too much. That is why Pennsylvania banned it. But one company which had a plant in Pennsylvania producing this substance simply moved to Georgia when it was banned in Pennsylvania, and obviously New Jersey still produces it. That is why we can't depend on state laws.

From Linden, N.J., Local 8-337, with employees in three small chemical plants: "Chemical plants in our area release different types of gases and fumes after dark and late at night."

From Grants, N.M., Local 2-708 (Kerr-McGee Corp.): "We have had 10 deaths in the Grants area from lung cancer from radiation."

From Local 7-1234, Youngstown, O. (Koppers Organic Materials): "Members are developing 'cancerous boils' that have to be removed by a doctor. Very painful."

From Memphis, Tenn., Local 3-770 (Humko Products, chemicals): "Some of the products made in this plant will cause a very painful burn and rash on the body, so I can only imagine what they do to the inside of the body by breathing the fumes."

From Memphis, Tenn., Local 3-631 (Delta Oil Refinery): "There have been several cases of cancer (in small plant). In recent years two people burned to death. This year one loss of life due to hydrogen sulfide, two sent for short time to hospital. We have a need for knowledgeable people to inspect and advise us on hazards."

From Bessemer City, N.C., Local 3-802 (Lithium Corp. of America): "Many members suffering from caustic burns and poor ventilation. The acid treatment to the ore is doing damage to real property both at the plant and the surrounding community. The acid and dust that comes from the stack is not properly 'scrubbed.' On given days when the humidity, wind and temperature are right, the people who live near the plant can wipe dust in small piles from their furniture if their windows are open. These people have been told that the substance was harmless after they had Lithium Corp. chemists to analyze some of the samples of dust from their furniture. I know for a fact that the chemists gave the people a false reading on the analysis."

From Memphis, Tenn., Local 3-357 (Velsicol pesticide plant): "Several members have died and others have become disabled, due to lung conditions, primarily emphysema." (Possibly due to chlorine, phenal and carbon tetrachloride fumes.)

From Local 8-830 (Natural Lead Co.), Sayreville, N.J.: "Combination of methanol, acetone, touloul, naphtha, xylol fumes in paint lab. Chlorine fumes, titanium, tetrachloride fumes and carbon monoxide fumes in the chloride lab. One technician gassed by titanium tetrachloride fumes while attempting to escape from third floor lab. One known case of pneumonia caused by fumes in paint lab. Numerous respiratory ailments among lab personnel, probably caused by fume inhalation but we can't prove a direct cause-and-effect."

From Wausau, Wisc., Local 6-666 (3-M Company roofing materials plant): "Due to dust drifting out over city, the company has lowered exhaust stacks to the point where we now get the dust back in our own windows. We also have tons of fine granular that is discharged out stacks and collects on roofs then blows off in wind, making it almost impossible to open your eyes out around the plant. We have employees now on limited duty because of dust condition in lungs."

From St. Paul, Minn., Local 6-528, with members in General Printing Ink and Consolidated Printed Ink plants: "Ventilation almost non-existent. Mixing of dry colors, some lead based, done in general production area. Dry color and other powder ingredients visible in air at all times. No urine test for lead."

From Kalamazoo, Mich., Local 7-220: "Dust from cyanide in great quantities. The company would do nothing to stop it. We have a lot of dust and gas. There

have been three employees with lung ailments; one died from it; this is in the last six years. Sulfuric acid spray is present in the atmosphere as it eats the paint off the cars in the parking lot."

#### THOSE ENZYMES IN SOAP

Much is being said in TV commercials these days about enzymes in detergents, which are said to literally "eat up" the dirt. Soap company employees have something to say about the strength of those enzymes in the workplace, too.

Three of our locals which have members in soap producing plants—Hammond, Ind., Local 7-336 (Lever Brothers); Bristol, Pa., Local 8-373 (Purex Corp.), and Kansas City, Kans., Local 5-114 (Colgate Palmolive) cited troubles from exposure to enzymes. The Kansas City local cited "rashes or enzymatic affects to hands, face and exposed areas, nasal irritation, breathlessness, wheezing, coughing and possible lung damage." We have had comparable comments from members of the other unions with members employed in detergent plants.

We consider the introduction of enzymes as another example of a new hazard being introduced without adequate testing of potential harmful affects on workers, or, for that matter, on the community at large. It was first noticed in England that the workers in the detergent factories were reporting severe respiratory distress from inhaling enzyme dust. Coughs, chest pain, general weakness, discomfort, fever and other allergic symptoms were found, according to the June 14, 1964 issue of *Lancet*, a British medical journal, "Inhalation of the material may lead to irreversible impairment of lung function." Yet the *Wall Street Journal* of October 9, 1969 quoted Colgate Palmolive company as dismissing such reports as "unfounded."

Further information on the enzyme problem can be found in an appendix to this statement.

#### HAZARDS ARE WIDESPREAD

Gentlemen of the committee, it might be charged that we have presented here just a few random samples. These are just a few samples, but we can cite others which are equivalent. We request permission to present to the committee, within the next two weeks, for the records and for study, the minutes of our conferences on this subject in Kenilworth, N.J.; Houston, Texas; Fort Wayne, Ind.; Tulsa, Okla.; and Montreal, Que., Canada. We also are turning over to you the questionnaires answered by 130 of our local unions from coast to coast. From these sources you will find many other examples of the hazards reported by our members.

These are not exceptional cases; these reflect general situations. While perhaps oil and chemical workers suffer a greater degree of exposure, environmental health hazards extend to everyone.

During 1968, a survey of occupational health in the Chicago metropolitan area was made under the sponsorship of the Institute of Medicine in Chicago, with design and staffing of the survey supplied by the U.S. Public Health Service.

A total of 803 representative work places employing 260,000 people were surveyed. These were representative of all the work places in the metropolitan area, including not only manufacturing but also transportation, wholesale and retail trade and services such as hotels and places of entertainment. By projection, these 803 plants are representative of 14,453 work places employing 1,048,851 people in the metropolitan area, referred to below as the "universe."

Dr. C. Dean McClure, Associate Professor of Preventive Medicine at West Virginia University, reported on this survey in a paper he delivered at the New York Academy of Science on October 1, 1969.

Let me quote from his paper:

"Results of the survey indicate that more than half of the plants (54%) employing 43% of the in-plant workers had *unacceptable* sanitary working conditions—i.e., bad housekeeping, not enough drinking fountains or toilets or washing or eating facilities as compared to the American Standard Minimum Requirements for Sanitation in Places of Employment.

"When projected to the 'universe' this means that approximately 7900 plants probably do not provide acceptable sanitary conditions for more than 453,000 in-plant workers in the Chicago area. Although these inadequacies could be expected to occur in industries of all types and sizes, inadequate eating facilities for workers in small plants is most prevalent. Inadequate ventilation, as measured by



American Conf. of Governmental Industrial Hygienists standards was observed in more than 13% of the surveyed plants of all types and nearly all sizes employing approximately 13% of the workers. Projected to the "universe" this suggests that more than 1,860 plants and 134,000 workers were subjected to poor ventilation.

"In 7% of the plants employing 14% of the in-plant workers there was no visible or questionnaire evidence of any type of occupational health hazard. Applying these rates to the universe, one would expect that almost 4,000 of the 14,453 plants and approximately 143,000 of the 1,048,851 in-plant workers do not use now, or expect to use toxic materials in the future. Plants with well controlled exposures to potentially hazardous materials were excluded from this projection because of the possibility of future relaxing of control methods. The remaining 73% of the plants surveyed had at least one employee at "risk"—i.e., exposed to potentially hazardous materials or conditions such as handling toxic solids, liquids or gases in basic operations or being exposed to toxic environmental by-products generated by equipment or processes like carbon monoxide from a diesel fork lift, noise from a drop forge or oxides of nitrogen from welding.

"Projecting the survey rate to the "universe" would mean that more than 10,500 of the 14,453 plants of all types and sizes in the area employ approximately 32% (or 332,000) of the in-plant workers who are potentially at risk by being exposed to an apparently hazardous work environment. Separate calculations estimate the average number of exposures per in-plant worker range from 0.4 for the largest (size 500+) wholesale-retail plants to 3.9 for the smaller (size 50-99) service industries. The average number of exposures per worker was greatest (2.5) for the inplant personnel working in service industries and least (1.6) for those working in wholesale-retail trades.

"More important is the apparently poorly controlled exposures of workers to chemical and physical agents. One or more inadequately or marginally controlled exposures to general chemical agents was observed in 35% of the surveyed plants irrespective of type and size. Similarly, one fifth of the plants surveyed had some employees exposed to poorly controlled potentially hazardous physical agents, while approximately 11% of the plants surveyed had poorly controlled dust in the work environment.

"Thus, nearly two out of every three exposures observed by the industrial hygienist were considered to be poorly controlled with the highest percentage of risks occurring among the manufacturing plants. The prevalence of poorly controlled exposures to potentially hazardous agents was highest for the small plants (size 8-19) while a greater proportion of larger plants had poorly controlled exposures to these agents.

"In addition to considering whether or not there was adequate control of exposure to these agents, the surveyor also used his judgment to rate the plant on a four-point scale (from none to urgent) as to whether or not occupational health hazards existed at the time of his visit to the plant. The results indicate that urgent problems exist in 6.3% of the plants surveyed which employ about 11% of the total in-plant workers in the Chicago area. The average number of exposures per in-plant workers was 2.6. Projecting these rates to the "universe" suggests that there were 111,200 employed in the 922 plants where further industrial hygiene evaluation or surveillance was urgently needed. Together with the projected 3,158 plants that were considered by the surveyor as having "serious" potential hazards, more than 4,000 plants employing 46.2% (or 484,827) in-plant workers were thought to need further industrial hygiene evaluation within one year of the survey.

"Results of the survey indicate that most of the exposures to know toxic agents are poorly controlled. Also, rather extensive exposures to these agents can be expected—i.e., some workers in 20% of the plants surveyed were exposed to carbon monoxide which was poorly controlled in more than half the exposures, and more than 2/3 of the exposures to lead were poorly controlled and occurred in about 8% of all plants visited.

Projecting the survey results, there may be more than one hundred different specific chemical, physical, or other harmful agents which produce more than a thousand exposures each for some in-plant workers, the majority of which are inadequately or marginally controlled exposures. All in all there are probably more than 7500 plants in the categories surveyed throughout the Chicago area which have some in-plant workers exposed to poorly controlled but potentially

hazardous agents. The number of such poorly controlled exposures can be expected to be nearly one-half million."

Thus we attempt to reiterate our concern with exposure to environmental health hazards, as contrasted to safety hazards in the older sense of that word.

#### OIL INDUSTRY TESTIMONY

On November 6 of this year, two gentlemen representing the oil industry appeared before this committee. They were Mr. W. T. Askew, vice president, refining, Sun Oil Co., and Mr. D. C. O'Hara, executive vice president, National Petroleum Refiners Association.

These gentlemen pointed with pride to the excellent safety record of the petroleum refineries. They said that the rate of disabling injuries in petroleum refineries is nearly one-third lower than the average for all industries.

We stipulate that these men from management made an accurate presentation—insofar as they went. It is true that safety conditions, in the old-fashioned sense of the word, are admirable in petroleum refineries. Compared to other industries, there are slightly fewer men suffering broken legs, smashed fingers and that sort of thing—although the violent explosions which sometimes happen in refineries are quite terrible.

But Mr. Askew and Mr. O'Hara said not one word in their testimony about environmental hazards. Not one word about toxic fumes and gases which kill slowly. Not one word about monitoring, with equipment which costs a few hundred dollars per unit, for the presence and concentrations of toxic matter.

The petroleum industry testimony emphasized that management practices safety not only for humanitarian reasons but also for economic reasons. They cited the high cost of refineries, implying that they do not want millions of dollars worth of equipment destroyed in explosions and fires which also kill people.

But gases and acids in the atmosphere do not destroy equipment, with a few limited exceptions.

The safety records cited by the industry spokesmen are misleading because they refer only to violent physical injury causing immediate, visible physical injury. But records do not exist, on any meaningful basis, regarding the creeping death and disability caused by plant environmental hazards to the health. The occasional man who is crushed by heavy equipment becomes a statistic; the man who withers away with cancer, emphysema or brain damage does not.

These industry spokesmen also disputed our charges that plants operated by skelton crews during a strike are dangerous. They submitted to you a little blue book which purports to prove that injury rates were lower during an oil refinery strike early this year than during normal times. But, I urge you to read that booklet carefully. Fifteen companies were cited—several of them small companies. They were not named. What about the many other companies which were struck? More than 100 refineries were struck. Why were 62 cited? Were they carefully selected?

I urge you, too, to re-read carefully and slowly the testimony presented by these gentlemen. Read it with an alert eye to what is not said, to the impressions which are left but not quite stated. The industry can afford to employ very skilled writers.

I want to issue a challenge on this subject. Let there be established tri-partite committees to look into some of these plants, with equal representation designated from this committee, from management and from labor. Then let such tri-partite committees walk into some of these plants, on any day of the week, so long as the local plant managers have absolutely no warning that the committee is coming. Let such a committee see for itself.

We issue this challenge with confidence, for we have presented our testimony on the basis of actual quotations from actual men, giving their names and in many cases naming the plants. Your industry witnesses, on the other hand, have spoken in generalized statistics about anonymous people in anonymous plants.

#### MANAGEMENT DOES NOT CO-OPERATE

Industry spokesmen plead for voluntary approaches, rather than government action, in the area of health hazards. But I am here to testify that much of our problem is based on a lack of voluntary action by management and a lack of co-operation from management.

We have presented testimony from men working in the plants which shows that many, many plants have no monitoring devices to detect the presence of hazardous substances. We find that simple devices may be purchased to check the presence of particulate matter, 50 different dangerous gases, and second levels for a total investment of about \$600.

We have suggested that our local unions buy such equipment so that the workers can do their own monitoring. The reaction to this has been management resistance; the companies don't want our men to use their own equipment to check the conditions affecting their own health.

Time after time, our members have asked management for information. They have asked for the chemical names of certain substances, as contrasted to trade names, so that they could go directly to chemists and ask for information. The companies frequently refuse to provide this information.

As revealed on our survey questionnaire to which I referred earlier, more than two thirds of the plant managements refuse to permit the union to see the results of health tests made on members exposed to hazardous materials. This handicaps the union not only in its efforts to negotiate for better health conditions, but also in its efforts to process grievances and workmen's compensation cases to obtain a pittance of compensation for men crippled by what they breathe and touch.

Most companies have rung down a curtain of secrecy. They deny to the workers an opportunity to improve their own lives, individually or through their union.

#### UNION RESOURCES ARE LIMITED

Our union will keep trying. We are planning training schools for men who work in the plants, schools in which we will teach the workers some of the rudiments of industrial hygiene. We have to try to do what management refuses to do—and that is to find the facts.

But, as a poet, whose name I can't recall, said, "The sea is so wide and my boat is so small!" We are a union of limited resources. We contend with six thousand chemicals, the health effects of most of which are not known to science. We grope in the dark and we can light only a few candles. We contend with two of the most powerful industries in America and they do much to hinder our efforts.

That is why we come before our government as supplicants. We need help.

Let me note at this time that we have made better progress in Canada, where we have about 15,000 members. In oil industry negotiations this year, our people asked stronger environmental safety clauses in their contracts.

In an attempt to settle a strike evolving from these negotiations, the government of British Columbia appointed a Mediation Commission.

Labor and management presented their arguments on environmental safety matters as well as economic issues in dispute to this commission. The Mediation Commission issued a report which contained a curious paragraph, i.e., "Safety committees can have access to available information on health hazards and union members who sit on such committees can see that other union members are informed of any hazards to health which may exist and encouraged to take suitable action."

This paragraph was accepted by oil companies all across Canada. It is a great breakthrough: now our union safety committees can demand of Canadian management—and those Canadian oil companies are nearly all subsidiaries of U.S. companies—access to pertinent information needed to protect the health of their members.

#### WE NEED HELP

Here in the United States, we need help in several ways. There needs to be a crash program of research into environmental hazards—as they affect the plant workers and as they affect the communities surrounding the plants. We need to know more about the thousands of chemicals for which there are no specific Threshold Limit Values.

We need strong Federal health and safety codes. We cannot depend on voluntarism and we cannot depend on a patchwork of state laws.

We need inspectors to enforce those laws. At present there are fewer than 2,000 health and safety inspectors on the payrolls of Federal and 50 state governments. There are three million work places to inspect.

We have presented a general view. It might be considered a worms' eye view—from the bottom looking up at this problem. We will not take your time to go into specific recommendations on the language of the legislation you will write.

We endorse the positions taken by the AFL-CIO on this legislation, as presented by Legislative Director Andrew Biemiller when he appeared before this committee on October 15. We believe that if his recommendations are followed, the government of the United States will have made at least a start toward protecting the health of 80 million workers from grievous damage in their places of work.

We thank the committee for permitting us to enter this plea.

(Appendix to this statement follows the completion of the hearings.)

Mr. MAZZOCCHI. We became aware of the occupational health problem only within the past few years. We had had an idea that things were not what they should be in refineries, chemical plants, and atomic energy plants, but, had been concentrating on the more obvious safety aspects of the workplace; people slipping, falling objects, protection against explosions, et cetera.

I think the oil industry, in its testimony before this committee a week ago, indicated their work injury record. I won't take exception to that record but we could probably spend an entire day on how statistics are compiled and what constitutes an injured worker. We know of workers who are brought into the workplace who really cannot work. But to keep the score proper, they are wheeled in, so to speak.

However, we will acquiesce and say that the record is fairly well stated by the industry, as far as work injury records go.

But, we would like to speak to that aspect of occupational health and safety where no score is kept. And that is the area of environmental health hazards. We think this is the more profound problem; it's more insidious and has detrimental effect not only on the people we represent, but, we think, on members of the working class in general.

We also find through our investigations, that the public is affected too, because in discussing the environment, the workplace cannot be separated from the community at large. They are just inseparable because the pollutants we create find their way into the atmosphere.

We decided to look into these problems methodically, so we held a series of conferences throughout the United States, bringing together workers to tell their story, to tell us precisely what was going on in the workplace. We wanted to hear from them, not from the officials of the local unions, but from the workers themselves.

I have before me, and the committee may keep this as part of its permanent record, the transcript of our first conference. I will submit transcripts of the other conferences as they are edited and published. They tell a devastating story, from the workers themselves, about what is occurring in the workplace.

In our testimony we show a sampling of the type of environmental hazards that people are subjected to.

We thought, at first, that we would bring a few of the workers here to tell the story themselves but we found it highly impractical solely because the problem is so widespread, so profound that we would have a string of witnesses appearing before the committee ad infinitum. The condition we speak of is general, not exceptional, and we would say to the industry that if anyone doubts this condition, this committee should appoint a few representatives, and together with representa-

tives from the oil and chemical industries, the union, as well as members of the scientific community, plant-by-plant, unannounced visits should be made. Facts would become evident which would be absolutely shocking.

We literally fear for the lives of many of our workers in a day and age when supposedly we know a great deal about how to control environmental hazards.

Now not only did we hold conferences, but we also sent out a questionnaire, which is attached to this bit of testimony, and in it we solicited the views of the officials of the local unions about what the safety situation is in the workplace. We are also submitting a statistical breakdown of the answers.

We found that in Walsh-Healey plants—and many of our local unions are covered by Walsh-Healey—where the Government supposedly has set forth certain standards which supposedly are to be enforced, the statistics show that a majority of the people who work in Walsh-Healey plants never saw an inspector, never saw posted rules about what the Walsh-Healey Act contains.

As far as air monitoring is concerned, the only air monitoring most of our people are familiar with is that type which has been developed in response to the Clean Air Act to protect the public against sulfadioxides, and possible particulate matter. Very few plants are monitored for the thousands of chemicals that are used in the workplace.

We have here, and I will submit them for the record, the questionnaires as they have been filled out by people throughout the United States, and these in themselves tell quite a story about monitoring, and what fundamental protections there are against these hazards we speak of.

Mr. O'HARA. Without objection, the material referred to and the report of the conference organized by the Citizenship-Legislative Department of the Oil, Chemical, and Atomic Workers Union will be made a part of the hearing record.

Mr. MAZZOCCHI. We have been forced to adopt certain measures to protect ourselves and we are running into resistance from the industry.

We have decided that, since monitoring was not conducted by the firms for which our people work, we would have to engage in a training program to develop fundamental techniques for monitoring. We would teach our people how to use air-sampling devices for noxious gases, and for particulate matter as well as devices for sound.

When we have tried to implement this program, we have run into stiff resistance and so we expect that after our training programs take place this summer, we are going to run into very severe resistance from the industry.

Our position is that if there is nothing to fear from monitoring and the work environment is fit to work in, there should be no objection to our taking elementary steps to protect the lives of the workers.

Now when we speak of monitoring, the only guide we have is this document, which you are familiar with, called the Documentation of Threshold Limit Values, which lists approximately 450 chemicals, and gives their thresholds. This is our guide.

We think that the values listed in this document are excessive. And this document only covers those workers in the Walsh-Healey plants.

We have been comparing this guide with the Russian version. We have heard so much about missile gaps; well, we think a safety gap exists between the United States and the Soviet Union.

We think the committee should pay a visit and discuss this with the Soviets. We want to know why there is a difference by a factor of 10 to 20 between the values listed in the Documentation of Threshold Limit Values (which values were established by a consensus method) and those that we find in the Russian documents.

For instance, toluene, which our documents list as having a threshold of 200 parts per million, is listed in Russian documents with a threshold value of 25 parts per million.

We find this throughout. We find large disparities between their chemical values and ours. We don't know who is in error but we think that if an error is made, it should be on the side of the worker.

We have very little faith in the way these final numbers are arrived at. Workers have no say in the matter. We have never been consulted. We think that if we were consulted, we could assist by way of documenting what the effects are when men work at some of these particular levels.

As things now stand, very few industries say, "This is the level and we won't allow the chemicals in this plant to exceed it," because no one tests and no one keeps a score of the emphysema cases that break out, for instance. We think the score is awfully high and we have documented this to some extent.

So, we operate within an industry which is fairly sophisticated; it has all sorts of integral controls and devices to make sure that nothing happens to the plant; this is the primary concern of the industry we work for. But very little is done—not even the most primitive devices are instituted—to measure the quality of the work place environment.

We can document that, by virtue of inattention to the work place environment, there have been all sorts of insults added to the environment generally, both to the water and the air. When you read these documents you will begin to see a frightening picture develop, of what is happening to the community.

We will give a few more for examples rather than go through the lengthy documents.

For instance, we have a problem with acrylamide poisoning. Mr. Wodka conducted an investigation because we had complaints of acrylamide poisoning, and he delved into some documents which are pretty hard to come by.

There is no central source of information anywhere. You really have to do detective work in order to find out about the many thousands of chemicals we work with. When you are an organization as small as ours, and working with only a handful of people, it becomes a detective game, and one that has serious consequences for the people we represent.

So, Steve, why don't you tell the committee the story about our experience with acrylamide.

Mr. WODKA. Acrylamide is a component of paints. Many people have heard of acrylic paints. If a man suffers over exposure to acrylamide, the most obvious effect is a form of nervous system paralysis.

There is a case of a man where one-half of his face is paralyzed and continues to be that way.

Some of the other symptoms are dermatitis, sweating, fatigue, lethargy, and drowsiness. (This is important because if a man becomes drowsy on his job due to some outside agent, like the vapor he is breathing it makes him a lot more prone to bodily injury in the plant.) There is also muscle weakness, muscle pain and sensory loss.

The first thing that we found out about acrylamide is that there were six cases of acrylamide poisoning in England in 1966. It was interesting that the doctors, when they first began to investigate acrylamide in England called up the English branch of American Cyanamid which manufactures this chemical.

I am quoting from the British Medical Journal of October 21, 1967, "American Cyanamid assured emphatically that they had no knowledge of any humans having suffered from acrylamid." The doctors then found six cases of such poisoning.

In this country we believe, as you will read in this green booklet, "Hazards in the Industrial Environment," that there are six cases of paralysis from acrylamide in the Bound Brook, New Jersey plant of American Cyanamid.

Our investigation continued and we found two more examples in Avondale, La., at the Fortier plant of American Cyanamid. Down there a man who took all the precautions, respirator, coveralls and gloves, came down with acrylamide poisoning. He suffers from paralysis, he can't get around, and so forth. He is out of work. Another employee down there has a rash from the top of his head to his toes from acrylamide.

So this is just an example of how even when men take the precautions necessary, we don't know enough about this chemical, we don't know how to operate with it.

Mr. MAZZOCCHI. Again, we are in a situation where chemicals are introduced, very few people know very much about them, and when the industry is approached they say there is nothing wrong.

We have the same thing with enzymes. Enzymes in detergent products were introduced into the marketplace, workers worked with it, widespread assurances were given that there is nothing wrong with these enzymes. We find, based on our conferences, that there have been an unusually large number of respiratory attacks and dermatological problems.

Part of the testimony Mr. Paulson was to have given this morning concerns his own investigation of the enzyme problem, whole working with us, and we are submitting herewith his paper on enzymes, as an addition to some of the questions raised in the green book.

We would also like to recite one other specific example of the type of hazards we are exposed to and what the subsequent damages have been to our work force.

Mr. WODKA. There is a National Zinc plant in Bartlesville, Okla. in which we have members. From 1961 to about June of 1969 there have been at least 13 cases of documented emphysema, pulmonary emphysema, pulmonary fibrosis, cardiovascular disease and bronchitis, caused by the acid, smoke, fumes and dust that the workers must work with in that plant.

These 13 cases have been documented by doctors and the Oklahoma Industrial Court, and have been primarily Workmen's Compensation cases. It is just interesting that this situation has been going on since 1961—13 cases, and the men are still coming down with it—and the company prefers to pay insurance premiums rather than clean up the situation.

Mr. MAZZOCCHI. We received a call just recently from the Linde Air Division of Union Carbide in upstate New York where we had one department reporting that out of 24 men working in the department, eight came down with emphysema.

Emphysema is becoming quite widespread. We are very suspicious of the increasing costs among our members.

We spoke before the House committee last year about the high incidence of cancer at the Phillips Petroleum refinery, and Phillips sent a letter to the committee saying that they had only 3 cases. Subsequently we submitted death certificates on all of the cases that we discussed before this committee.

We could probably keep people out full-time just to gather information on causes of death as related to chemicals used in the work place. It would be an interesting investigation.

The stories that are being told to us, and they create a composite story, indicate that No. 1, insults are being added to the injury in the environment; No. 2, there is little or no monitoring; No. 3, when an outbreak of a disease develops there is little or no followup investigation by those who should, and have the resources to, investigate.

Nothing is said and nothing is done. So, this is the type of general environmental problem that we are very much concerned about. The gory details are within our testimony. In the other three transcripts which we will submit, you will see for yourselves, plant by plant.

And these problems are not confined to any one part of the United States. We have gone around with scientists, not with lay people. We have come in with scientists and doctors, and the workers have explained what they have been subjected to, and the problem is frightening us to death.

Unless strong legislation is developed rather than any sort of facade, the problem will be magnified many times.

In our testimony, we support the AFL-CIO position on the O'Hara bill—certainly the one we think should be implemented. Mr. Biemiller, appearing before the committee, stated the reasons very succinctly. It would not serve any purpose for us to do so now.

We think the contribution we can make to the committee's work is to provide documentation of cases, documentation of the work place, and to again lay down a challenge to the industry.

I know they will respond and say the same sort of things about everything being fine in the work place. Maybe we are 100 percent wrong. However, I would like someone to come along and prove it. I would like to be able to go back and tell the people we represent that things are fine, that nothing is wrong.

However, we need something much more substantial than that. We need the type of commission that will move into the plants and do an impartial investigation, because this problem, which we think is so severe, cannot wait another day.



Mr. Chairman, I would be glad to answer any questions that you or members of the committee might have.

Mr. O'HARA. I will make one brief comment and reserve any questions I might have.

Your testimony, again, as in the last Congress, has been extremely interesting and you are a very compelling witness to the necessity of protecting the occupational health and safety of the American workers.

Mr. Gaydos?

Mr. GAYDOS. I would like to observe in the beginning that your testimony follows the line of other individuals who have testified before this committee, pointing out specific instances.

I am personally familiar in the mining industry with some of the problems of which you speak, particularly pertaining to chemicals.

Have you or anybody associated with you ever made an attempt to include in your collective bargaining agreements some type of protective device of monitoring or an approach to solving this problem on a local plant-by-plant basis?

Mr. MAZZOCCHI. That is under serious discussion at present. However, there is one vital drawback in that situation. First of all, the one problem we have is that we don't know the consequences of exposure to the thousands of chemicals that we work with.

No scientific criteria have been developed or if so, they are buried so deep that even members of the scientific community are unaware.

We are engaged in a program now of training individuals from local unions to be able to use some of the instrumentation which should be used in plants. We have asked the Consumer Protection and Environmental Health Service to provide instructors. We only just found out that they have a two-volume course for training industrial hygienists for management.

We have asked to be allowed to participate in such a course so that our members can benefit by it.

Then we will probably negotiate the safety measures necessary to protect ourselves.

However, I would like to point out that there are many many thousands of unorganized people in plants, who will not have the benefit of this protection.

Even when we train our people to their ultimate, we won't have very much because the necessary research has not been done on the chemicals with which we work and which are introduced into the environment generally in this country.

We have met with the heads of a number of universities and discussed with them the possibilities of their conducting research on some of these unknown chemicals. They were very interested but, of course, it boils down to the problem financing programs of this sort. Whether we can do it through collective bargaining is another matter. But we are talking about many millions of dollars.

Mr. GAYDOS. In order to put this statement together and to make some references to experts and scientists in this particular field you have had available some expert advice, haven't you?

Mr. MAZZOCCHI. Certainly.

Mr. GAYDOS. That has been voluntary, is that correct?

Mr. MAZZOCCHI. Voluntary.

Mr. GAYDOS. You have sought these people to help you in a very critical scientific field on a voluntary basis. The reason I asked if it was a subject of collective bargaining is that in my immediate area occupational safety and health has been included in the most recent collective bargaining agreement on the premise that individuals close to the problem know it best.

But as you so rightly point out it is now becoming such a technical and scientific field that you must have expert advice. I assume you are saying that the standards which are developed are going to be developed by experts, with the cooperation of all segments of the industry.

Mr. MAZZOCCHI. We have negotiated a fairly good agreement in Canada which speaks to the problem. It provides for the setting up of an impartial committee and allows the union to use instrumentation to do the monitoring.

But that is makeshift at best and does not address itself to the profound problem we are confronted with, but we will do that. Drowning men grasp at straws, and that is what we are doing. We are trying to protect ourselves in every manner feasible with the available knowledge that exists.

I must point out that knowledge does not exist to meet the problem and that is why we are making our plea. We have got to develop this knowledge, we have to implement it, there has to be disclosure and there has to be accountability.

I am just about sick up to here, hearing about crime in the streets and law and order, when killing of a worker in the workplace, through negligence is allowed and industry literally gets away with murder.

I have been sick as a result of my visits to every part of the country to hear workers' stories.

I just want to quote for a minute from this transcript. This is a worker who was very moved by all his fellow workers' stories about their plants. He said to us, "Well, my father worked in a chemical plant right next door to the one I worked in for about 20 years. He is dead now. I had an uncle. He also worked in a chemical plant, the same plant right next door to me. He died of cancer, cancer in the throat. He had a tube in his throat and it was a result of working in this chemical plant. He didn't have it before he went there. But a certain chemical that he inhaled got into his throat and his throat was a mess and he finally died. I don't like the expression, but he died like a dog. We are a small bunch but we have a big problem. These chemicals are going to kill us all."

That is eloquent. Another eloquent expression is by a simple guy who's talking about the plant he is working in which has a Government contract; he says, "Now one thing I don't understand is this: How could a government where we live in, allow a company \$1,100,000 to erect a problem and don't even give \$5 to someone to come around to inspect it to find out what is going to happen with that air."

You have this type of frustration on a worker's part, of saying, "We are exposed to these things, there is nothing we can do about it, no one tells us what the problem is."

I get material sent in to our office. For instance, we are discovering that some plastics we work with, and I wish my scientist friend was

here because he can scientifically describe it, I think polyvinyl chlorides, let off some sort of a noxious gas. People have been complaining about these gases, complaining about the burning of these plastic substances and recently it's been discovered that they're poisonous. By using empirical methods our people discovered this was noxious years ago, by coughing and becoming ill as a result of exposure to it.

We have a huge laboratory in this country; it is the workplace. We need not experiment on guinea pigs. We can do a documented job of the people we represent.

If I were telling the story of scattered, isolated incidents, I would be concerned, but I am just appalled that these things are the rule rather than the exception. If you read the answers on the questionnaires, and if you read the four or five transcripts of one health and safety conferences, this picture becomes quite clear.

We need assistance. We need help. There are eloquent pleas for help and the hour is late. We need it now. We can't wait.

Mr. O'HARA. Mr. Collins?

Mr. COLLINS. I want to congratulate you on this excellent report.

It is documented and it is very comprehensive. We had some questions I wanted to ask about this enzyme just to broaden the record.

Do you know what the industry has been doing to solve this enzyme problem in detergent plants?

Mr. MAZZOCCHI. Yes, the industry is now meeting to discuss the problem. They maintain, so I have heard, that they have developed different methods for handling enzymes in the workplace.

There are claims that they have reduced the exposure of workers to the dust. Whether this is so or not, we will know when we again bring together all the enzyme workers to tell us whether these methods truly have been instituted, and what the results have been.

Mr. COLLINS. Has your union checked on what they have been doing? Have you had an opportunity to check? Have you been invited to check or have you had any kind of follow-up on what they say they are doing?

Mr. MAZZOCCHI. As I said, we will be convening a meeting of our enzyme workers. We have made expressions of concern. Counter measures supposedly have been taken. In a few weeks there will be a gathering of enzyme workers and members of the scientific community to discuss this very problem.

Mr. COLLINS. Are you aware that the SDA has collected and disseminated to all manufacturers technical information which protects the worker properly?

Mr. MAZZOCCHI. We heard their claim that they have done this. We have looked at the procedures that some of the management groups have instituted. Whether the instituting of these measures is effective or not, I am unable to say at this point. Someone would have to provide scientific evidence and ask workers what has happened to them since these measures were instituted whether respiratory and dermatological problems are still prevalent.

We know that as relates to asbestos, the finest mask made cannot filter out the very fine asbestos fibers.

Mr. COLLINS. Let me ask you something, if I may, Mr. Mazzocchi.

We had the oil refiners group speak the other day and you made some comments in here on that.

Basically one subject that came up that they raised was this question of how the law would relate to strikes. For instance, if there is a labor dispute going on at the time. Would this be an issue mixed in with the other issues or would it be handled separately?

Mr. MAZZOCCHI. Let me make the position of OCAW quite clear. We don't want an occupational health law to win strikes for us; we will win or lose strikes based on our own economic strengths. We still believe in that.

We want a law that will protect the lives of the workers, and the community at large. If a law is developed and ground rules are established, our main concern is that these are adhered to no matter whether a plant is operating normally or with strikebreakers and supervisory personnel. All we are asking is that the ground rules, developed for the protection of people, be followed during those altercations.

Mr. COLLINS. Back to supervisors, if they operate a plant with their supervisors, you know statistically they have a good safety record, would you see any objection to the supervisors assuming responsibility for these health hazards?

These men certainly would know the health hazards involved; is there any objection to supervisors maintaining a plant?

Mr. MAZZOCCHI. First of all, I disagree with the assumption that the supervisors know what the health hazards are. That is not the situation today.

If an adequate law is passed that protects the lives of people, and if there be a strike, and those people operating the facility, whether they be supervisors or strikebreakers, follow the letter of the law, we would have no objection.

Our position is quite clear. We will win the strike using our economic power, or we will lose the strike because we don't have sufficient economic power.

Mr. COLLINS. I really preach that viewpoint. I happen to be one that believes that labor and management should negotiate everything themselves and the Government should not become involved.

Do you agree with that premise?

Mr. MAZZOCCHI. I certainly agree with that premise. But there is a role for Government to play in the area of occupational health.

Mr. COLLINS. Let's go back to strikes. When you have a strike, should you ask the Government to shut down a plant; would you be interested in doing that?

Mr. MAZZOCCHI. Only if the corporate entity were violating the law would we ask that the plant be closed down to protect the health and safety of people. If they were operating the plants in conformance with the law, then so be it, they would have a right to operate.

Mr. COLLINS. One suggestion has been made that they might put a provision in this law that would say if safety is the issue; in other words, if you are going to talk about the issue of safety that would be the sole issue for negotiations.

In other words, when they went in to safety in labor negotiations that would be a sole issue that would stand on its own two feet and during the periods of discussion on safety this issue would be exclusively discussed.

Do you see any objection to handling that separately?

Mr. MAZZOCCHI. You are getting into the area of collective bargaining on the question of safety.

I believe the collective bargaining process should operate as it does operate, where you discuss total issues and what you break down on depends on a particular situation. I can't see separating issues during a collective bargaining situation.

I would say this, if knowledge were available to the American workers about the nature of the hazards we confront, about the consequences of exposure to these pollutants, we would not be here discussing this today, because I tell you very frankly that there wouldn't be a worker, organized or unorganized, that would tolerate the situation for 1 single day.

What operates in favor of industry in this situation is that this whole area is a great unknown. People don't know what they are breathing and they don't know the consequences of these environmental insults. If that body of knowledge were available and if there were techniques to deal with the problem, we would handle it solely through collective bargaining. We would not be here.

The fact of the matter is the problem is too profound, too widespread, requiring great expertise, requiring the help of Government, because Government should do those things for us that we, in a private sector, can't possibly do ourselves. And that is why we are here, asking the assistance of Government.

Mr. COLLINS. I agree with what you say about this work with safety. We all agree that we need a safety law, we need something for safety and we particularly need one for health, but you are more interested in the health features than the safety aren't you?

Mr. MAZZOCCHI. They are inseparable of course. We are making our points on environmental hazards and we certainly want to address ourselves to that.

Mr. COLLINS. We want to put a health and safety law on the books that will protect workers but we are not interested in setting up a law that will be used by a labor union to their tactical advantage in a labor dispute.

You are not seeking that, are you?

Mr. MAZZOCCHI. I will make it quite clear again: We don't want a law for the purpose of winning something we can't win for ourselves—a strike.

We are perfectly able to enter into a conflict of that sort and win or lose according to our strengths. We want a law to protect the lives not only of the people in the workplace but of the community at large.

Unless something is done about the workplace, any discussion of environmental insults, environmental hazards, are pure nonsense. You cannot control the environment, pollution to water and air, unless you attack it at its point of origin: the workplace.

So we are concerned about ourselves and the community. We are at the point now where we are frightened about the air we breathe on the outside.

Let me say this: At one time our workers were the biggest lobby for doing nothing about the environment. They were afraid the plant was going to move, they were afraid the plants would be shut down.

This no longer exists because the people now realize they have to breathe that air, their families are breathing it. They know what the workplace is like, they know they are not getting any relief when they leave the plant gates, and they are frightened to death.

So let me sum it up. We are not going to look for a law that will win our strikes. We want to protect people where they work and to protect the community. This has nothing to do with strikes.

We are asking that the company not violate the law, not operate a struck plant if they are going to do it unsafely or are going to introduce insults to the environment at large.

They have to conform to the law as well as we. And they should not be above the law they are now.

Mr. COLLINS. Thank you, Mr. Chairman.

Mr. O'HARA. Mr. Mazzocchi, I, too, agree that we ought to take safety out of the area of collective bargaining by enacting a tougher safety law and that will take it out of the area of collective bargaining.

I don't think we should put workers in a position of having to bargain their health against 2 cents an hour.

That is indeed what we have done in all too many instances where they have several objectives in their collective bargaining negotiations, one of them being improved health and safety procedures and they have to give up something along the way. All too often that is what they end up giving up.

I want to take it out of the area of collective bargaining. Let me suggest to you that I am very familiar with the drawbacks of the O'Hara bill, I can tell you what some of them are right now.

One of them is that we had to make some concessions in order to try to get the bill enacted. I don't think it is as strong a bill as it ought to be. But the one that really worries me is that it depends to a tremendous extent on good enforcement in order to make it work.

We have not had much good enforcement in industrial health and safety either by States or by the Federal Government where it has been involved.

Your example of Walsh-Healey is very good. The enforcement is lousy. It always has been. That law has been on the books for 30 years during which time they have done virtually nothing worthwhile in enforcement of the health and safety provisions.

I have heard a lot of witnesses come in here and tell me if we enact this bill "a horde of Federal inspectors" are going to go around and arbitrarily, unfairly, and with a zeal that has never been approached before in American life, put the squeeze on employers to make them comply with this and another standards.

All I can say to you Mr. Mazzocchi, is that will be the day, that will really be the day, when we see this horde of safety inspectors running around requiring that everyone live up to the regulations.

In fact I don't think we are ever going to see that day. That is I guess what really worries me and makes me kind of pessimistic about this task.

I would like to just toss something out for your consideration I don't want an answer today. I want you to think about it. I am asking you because I know you have given a lot of thought to this subject.

In the first place I don't think the enforcement would be very good under my bill and it would be worthless under the administration's proposal. The thing that I have understood means the most to American industry is money. The only way I think we can ever get them to really go out and do a job on occupational health and safety is to make it very expensive not to.

It costs a little money and it takes a little time and it is a bother to have to worry about health and safety standards. So I am wondering if we should not simply adopt the codes we are talking about and then not worry so much about enforcement but simply say if any worker is injured in any way and the proximate cause of that injury is a failure to live up to one of these standards, we give that worker a right of action in Federal district court to collect damages over and above any workmen's compensation payment he might receive. I think the effect of that might be that the insurance companies would be enforcing the codes themselves.

I don't know. I am just throwing this idea out.

Mr. MAZZOCCHI. It is one I certainly would like to think about.

We have some very specific experience with Walsh-Healey. I would hope that a situation develops where people pursue, with zeal, the enforcement of the law.

We ask, in other areas of our society, that law and order be pursued with zeal, and I hope it will happen in the workplace, too.

We had an explosion in Pasadena 2 years ago. It was just a question of chance that the explosion moved in this direction instead of that. We have cyanide and chloride under pressure, and had those tanks blown, it would have killed many members of that community.

We called for a Walsh-Healey inspector to come into that plant, and for our self-protection, have asked since, what the results of the inspection were, but have not been allowed to see them.

Management is allowed to see the results of the inspection. We pursued it under the freedom of information law and hit a dead end.

Now that is one place where we got an inspector in; we have a whole host of situations where it will take months, maybe a year, before a Federal inspector arrives at the scene of a complaint.

We can read the roll. You know the number of inspectors we have—less than fish and game inspectors, and so forth.

It all boils down to what are the criteria, what do you measure against, what do we do about that 5,600 or 5,700 chemicals we know nothing about?

We know what is happening to asbestos workers: 50 percent of them will die of cancer. Fifty percent 1 of 2. Those who smoke have a 90 times greater chance of dying of cancer than those who don't.

We work with more asbestos than asbestos workers do. Anyone familiar with a refinery, a chemical plant, where the stuff is ripped away from pipes that need repairs knows this is a tremendous hazard, even if there were no others.

We have so many hazards, we can't talk about specific ones. There are thousands that exist, both alone and in interaction with one another. Someone has to develop the scientific information to deal with them, and it has to be developed now.

Mr. O'HARA. Let me talk to you about those chemicals, 5,600 chemicals you don't know anything about. In other words what is happen-

ing is that the industry develops new products which will have one use or another. With some sort of cursory check they go ahead and put it in production and start selling it and then years later, after a number of people have died or had their health affected in one way or another it is decided that perhaps this chemical was not good for the health of those who were working with it or those who were using it. But of course they can afford to do that because, Mr. Mazzocchi, I know of no company in which the board of directors breathes in the fumes in the plant.

It is not their health that is affected; it is their profits that are being affected but not their health.

Mr. SCHERLE. Will the chairman yield?

Mr. O'HARA. I will in just a moment. I should think with chemicals we should put some different procedures in here. We say in our bill that you must follow certain standards, but, of course, with a new product like this we have not developed any standards.

Nobody knows what the problem is. Nobody knows if there is a problem. I think that in that area at least that we ought to provide that the risk of manufacturing a product with an unknown hazard factor ought not to be borne entirely by those who were exposed to the product in the manufacturing process.

They are the ones who take the risk. They don't make the decisions but they are the ones who take the risk. I think we ought to try to shift some of that risk over to the ones who get the benefit from it by saying if in connection with working with new products such as this a worker has his health damaged that there is an absolute liability of a very significant sort much greater than that found under the workmen's compensation statutes and that we ought to have some sort of new, different standards for new products.

What would you think of that?

Mr. MAZZOCCHI. Certainly we think the burden of proof should be on those who introduce a chemical into the environment. It should be proven to be safe and should be documented by scientific criteria which can be examined to see why it is safe, and how a particular threshold for that substance was arrived at.

It should not be for us to prove, by observation of our sick people, that something is amiss and to then try to determine what is wrong, what levels we are working at and what levels are safe.

So I absolutely agree—the burden should be put on those who introduce a new chemical, to make sure that it's safe. All the facts about that chemical should be known. They should be published and listed.

I have here some of the labels that appear on chemicals. "Do not inhale vapors." Most of our people die laughing. "Do not inhale vapors." How do you prevent one from inhaling vapors in the workplace when there is not the most fundamental procedure in use to prevent the inhalation?

Or you get a company that says, "You won't even stay in that vapor long enough to have it harm you." Then we go through the casualty figures—because we are running body counts in our union these days. On reports that we receive, this information is included.

We are starting to document what is occurring to the best of our ability, trying to develop a correlation between what a worker has been exposed to and the illness he has developed.



The labels themselves smell so bad.

Mr. O'HARA. I will yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Chairman, are you trying to leave the impression that industry takes no precautionary measures whatsoever in the research, manufacture, and production of a product?

If this is your intent I don't think it could be more erroneous or further from the truth. I am not knowledgeable in all of these chemicals. I am not a chemist but a farmer from Iowa, who does use chemicals.

I work with insecticides and fungicides and herbicides and pesticides all the time. In many cases, even unwisely, I have not even taken the necessary precautions measures in handling them. I know of no one in my entire community that has ever been affected by these chemicals if they abide by the label.

In many cases the users get in a hurry. Now no one will say that there is not danger involved. We are all aware of this.

But for a statement to rest unchallenged that a company will manufacture a chemical, without researching the effects of that chemical, and leaving itself open to lawsuits, I can't help but feel it is just a little far fetched. If you want to elaborate on my statement why you go right ahead.

Mr. MAZZOCCHI. Yes, I would like to.

Mr. O'HARA. I think he was asking me the question.

Mr. SCHERLE. I was but I really have directed my statement to this gentleman because I feel he is more knowledgeable than you are.

Mr. O'HARA. I know he is. He is more knowledgeable than both of us and I am more knowledgeable than you.

Mr. SCHERLE. That is debatable, particularly in light of your previous statements.

Mr. O'HARA. I would suggest to the gentleman that I did not indicate that no effort was made to institute manufacturing processes or quality control processes that would protect the life and health of workers.

I did mean to suggest, however, that in many cases such precautions as were taken even were inadequate to the task and failed to reach that objective.

There are any number of instances with which Mr. Mazzocchi is much more familiar than I that would be examples of this failure. I would think of just a few. Mr. Mazzocchi has testified this morning about acrylic poisoning. I think there is one where measures taken to research in advance, to protect against health damage were inadequate.

Mr. Mazzocchi has testified with respect to another chemical this morning, I can't recall just which one.

Last year we had a good deal of testimony with respect to betanaphthylamine—a chemical exposure to which was a cause of cancer of the bladder.

Mr. MAZZOCCHI. Yes. According to this testimony you will see that it is still being used in the State of New Jersey, which has a very advanced health code.

Mr. O'HARA. So there are any number of instances where such products have been introduced and where the research and advances have been inadequate?

Mr. MAZZOCCHI. Let me answer it, Congressman. I once traveled under the same assumption, that someone was looking after us and that everything was being taken care of. Unfortunately, at this late date, I find this is not so. I must admit that as a citizen, I once thought that research is conducted on whatever we work with. Perhaps it is—products are developed. But let me cite specifically what the situation is.

Nothing is established absolutely. Of course there are companies that research, monitor, and enforce standards. But they are the exception. The rule is this: Now here is the Documentation of Threshold Limit Values. It lists 450 chemicals out of the 6,000 that are approximately in use today. This document is made part of the law, by reference, in Walsh-Healey. But there are many millions of workers who don't even work under Walsh-Healey.

Let's stick with people protected by this document, if it indeed provides protection. No one refers to it. You can't find a copy of it. And in many plants, you can't find a listing of the chemicals.

Mr. SCHERLE. Whose fault is that?

Mr. MAZZOCCHI. It is not a question of whose fault. First of all it's the fault of management. And I will share some of the fault.

Because of my ignorance, I have stumbled, literally over the bodies of our members, onto what the truth really was. If I share some of the blame, I am here to make amends for neglecting a very important area. I think many of us in the labor movement will be the first to admit that we did not address ourselves to the problem because we had the same assumption you had that someone was looking out for us. We learned differently. We learned from the exposure of thalidomide and cyclamates.

Here we have these few chemicals which are listed. Chlorine, for instance. Chlorine has a threshold limit value of 1 part per million, but you can't smell chlorine until it is 3 parts per million. You and I can walk into plants all over, where you smell chlorine and you know you are getting at least three and a half times as much as you know you are supposed to be getting, according to this book. Ammonia is the same; at its threshold it has an odor. This document is not enforced; the simplest and most fundamental monitoring devices for these chemicals are not instituted in plants.

So you have a situation where people are using things and if management knows about them it is doubly criminal. I suspect that in many instances management does know the consequences of exposure.

As you pointed out, sometimes you are in a hurry, production comes first, and so you don't observe the rules; the same is true for environmental insults.

If you could turn night into day on the New Jersey Turnpike, you would see, emanating from chimneys, pollutants that would never be vented during the day. We have this type of morality: let's produce it, let's hide what we are doing—and this is among those who are the corporate giants of this country.

Mr. SCHERLE. I think everybody is in full agreement that the pollution from chimneys and manufacturing plants should be arrested. However, you are talking about chemicals that are used by people.

Mr. MAZZOCCHI. I am talking about environmental pollutants and I would direct your attention to the fact that the environment in

general and the environment of the plant are inseparable. We are the emanators of all the pollutants that everyone is discussing today, generally.

Mr. SCHERLE. There is legislation underway that hopefully will do away with that in the near future. What is the foremost chemical manufacturing plant in the United States?

Mr. MAZZOCCHI. Oh, there are a host of them. American Cyanimid for one.

Mr. SCHERLE. What is the mortality rate for that company as chemical deaths are concerned?

Mr. MAZZOCCHI. No one knows because no one keeps the score. How do you know, if an individual dies of a form of carcinoma, whether it was due to exposure on the job?

That is the point we are making. No one knows, no one can give you that figure unless someone wins a case in court on proof of causation.

Mr. SCHERLE. You mean a company as large as that does not know what its medical problems are? Don't you have your stewards in the plants that oversee the operation or do you just let everything go to chance?

I am sure you don't do that.

Mr. MAZZOCCHI. We enforce the collective bargaining agreement. We enforce what we know about but what I am suggesting, as strongly as I can here today, is that there are many things we know nothing about.

We don't have the instruments to monitor. We are dealing with sophisticated procedures in plants and we just don't know. We have been dealing only with effects, and we are trying to address ourselves to the causes of the problem.

We don't know. There are thousands of chemicals we know nothing about.

Mr. SCHERLE. You don't think a company as large as the one I mentioned would deliberately jeopardize its employees' health with a chemical or a drug with which they are not entirely familiar?

Mr. MAZZOCCHI. I will just draw a conclusion that they are ignorant of the consequences of what they have been introducing. I don't really care to comment on whether it is deliberate or not. The fact is, it is done, and possibly done out of ignorance. But I sort of look at it in the same way you do. A large corporate entity like Cyanimid could not deliberately do the type of things that are done.

But I am saying if it is caused by ignorance, shame on American Cyanamid. The fact is people are being damaged and we want that situation to be corrected. Whether it is done by ignorance or malice, the end result is the same. It is destruction of human beings and that is what we want corrected. We are saying it is bigger than American Cyanamid. It is bigger than The Oil, Chemical and Atomic Workers Union. It requires the help of the Federal Government.

Mr. SCHERLE. It is difficult for me to comprehend any large manufacturer, or even a small one that would not have on-going research all the time to find out what they are dealing with, the effects of the products, the usefulness of the product.

I can't hardly believe that a company will develop a product and throw it out and forget about its after effects.

Mr. MAZZOCCHI. It is not the product, sir.

Mr. SCHERLE. I think the object would be to improve it all the time.

Mr. MAZZOCCHI. Our people make gasoline. The gasoline is fine, except when you burn it through your internal combustion engine and add it to the environment generally, as well as some unburnt substances which are creating problems.

Sometimes you come out with a harmless end product. But we are talking about the manufacturing process—you have these insidious assaults upon human beings.

If you want an instructive few hours, I suggest you read these questionnaires. They contain a Who's Who of American Industry and the type of situations that exist, plant by plant. We have documented it.

One large plant, I can't remember which, was causing an air pollution problem in the community. A particular matter was being vented. Do you know what the company solution was? They cut the stock down so low that the pollutants are being backed up into the plant. That is the type of solution that was instituted when the community complained.

Mr. SCHERLE. You are talking about pollutants, extracted from chimneys and the finished product. I thought your argument initially was the manufacture of the whole realm to the finished products?

Mr. MAZZOCCHI. These are all pollutants.

Mr. SCHERLE. I realize that, but is your argument against the entire problem of the pollutants? If this is your reasoning then legislation is now being prepared hopefully to correct the situation.

Mr. MAZZOCCHI. I suggested in my testimony that the two are inseparable. Though of course my remarks here are directed toward the workplace where the pollutants are originating, they ultimately work their way through the workplace and are vented into the community at large.

Of course since we have to go home and breathe the air there, we are equally concerned about that, but we are suggesting strongly that if you are truly interested in environmental problems, you had better look at the workplace, specifically. And the place to start is with the type of bill that Mr. O'Hara has introduced so that we start going to the source of the pollutants, and start understanding what is happening to people in the workplace.

Remember, the threshold level for the community at large is a few hundred times lower than what we allow a worker to be exposed to in the workplace, five parts per million in the workplace, and I think it is 44/100ths in the community, for one chemical that I can think of just off hand.

But of course no one monitors in the workplace to see that the standard of five parts is adhered to. As it reaches the community, although it is diffused, it is still quite substantial.

Let me sum it up. The majority of corporate entities are not doing the necessary research and work to protect the lives and welfare of people.

We have documented this by having the people tell the story themselves in conference after conference, as well as in questionnaires. I

would suggest that a committee made up of members of your committee, industry, the union, and the scientific community, visit plant after plant, unannounced, and see for yourself, because I could go on telling horror stories.

We had a case the other day where there was a hepatitis outbreak among some of our people who are making gamma globulin. They use placenta from maternity wards. We traced it down, and yes, it is possible to get hepatitis from being exposed to infected placenta.

We had a case of a young lady who contracted venereal disease in the mouth because of poor handling methods in a plant that is making an antibody for the U.S. Army. That plant has been so filthy and we have had so many complaints, and now we have this latest case due to negligence on the part of management.

Mr. SCHERLE. You know even the best of hospitals have been noted to occasionally come down with outbreaks. When I was in high school I worked in what might be classified as a sweatshop from four in the afternoon until midnight.

My father worked in that same plant from 1923 until 1957 over a chromium tank. He was the best chromium plater in that area has ever known. I don't have to tell you about some of the conditions that he worked under in that period of time.

This is where the unions serve a very fine purpose. They cleaned up that horrible mess. But by the same token I can't help but consider the fact that industry and management do try to protect their employees. What the hell good is a manufacturing company or an industry, if you don't have healthy employees? It is just that simple.

Mr. MAZZOCCHI. There are a lot more where they came from and that is basically the problem. A human being is not treated as well as a machine is treated.

I would like to say nice things. But I am just sick and tired of that type of approach. Workers are not being treated as if their supply might be exhausted. If that were the case, probably more care would be taken, but the situation is such today that it is an abomination.

Mr. SCHERLE. It is a lot better today than it was 10 years ago and 20 years ago.

Mr. MAZZOCCHI. No, I am not willing to accept that. We will introduce a survey in the Chicago area, an occupational health survey of an urban area by C. D. McClure, associate professor of preventive medicine at West Virginia University. Mr. Chairman, this will tell you what it's like.

Mr. O'HARA. Without objection, the study mentioned will be inserted in the record at the end of Mr. Mazzocchi's testimony.

Mr. SCHERLE. Are you talking about environmental?

Mr. MAZZOCCHI. Environmental. They are not sweat shops in the sense that someone stands over workers with a whip.

Mr. O'HARA. In the last 10 years the injury frequency rate in American industry has not gone down one single bit. In fact, there has been a slight increase.

Mr. SCHERLE. How many more employees have you got?

Mr. O'HARA. Injury frequency rates per thousand employees has not gone down.

Mr. MAZZOCCHI. That is the way the score is kept. I am suggesting that this is a whole area where no one keeps the score. You don't know. I would bet if you went into the garage under this building in the

morning you would have a carbon monoxide rate far in excess of what is suggested here as a threshold value.

I would bet on it; no one monitors. In garages and work places no one considers these hazards. It is only when some member of the scientific community discovers something, like in the lower Manhattan Expressway; the Tunnel Authority in New York was aware that the carbon monoxide level in the tunnels were excessive. It was only when the workers started to complain and a pattern of cardiovascular disorders started to develop, that we flushed out a report that they had been sitting on for 5 years.

These were respectable gentlemen who sat on that report for 5 years.

Mr. HATHAWAY. I appreciate your testimony very much. I take it from what you have said that you would advocate considerable more money be spent on research and to toughen up enforcement also so the companies themselves will be forced to do more of this.

Mr. MAZZOCCHI. Yes. We need research, disclosure, and accountability. Corporations must be held accountable for their actions as much as, if I were to go out in the street and hit someone on the head, I would be held accountable for my action. That is vitally important.

Research, disclosure, accountability. Absolutely.

Mr. HATHAWAY. Thank you.

Mr. O'HARA. Mr. Esch.

Mr. ESCH. Thank you very much, Mr. Chairman.

I have listened with a great deal of interest to your testimony and I share your growing concern about environmental conditions both in regard to industry and also as you suggest in nonindustrial areas such as the garage of the Rayburn Building.

Maybe we should have a special investigation for that, Mr. Chairman. I have two or three points.

First of all, you would concur that when we talk about environmental health there just has not been over those past few decades enough research both from the Government and from the companies involved to make a determination of the health factors, is that right?

Mr. MAZZOCCHI. That is correct.

Mr. ESCH. So you would be for any new legislation having a major thrust, basic research.

Mr. MAZZOCCHI. Yes, I say it is certainly a primary responsibility of the Government to protect the lives of its citizens.

Mr. ESCH. You have made indications in your testimony that you were able to in Canada in the negotiations you made some progress regarding safety and yet you also made a statement on page 27, most companies have run down a curtain on secrecy.

They deny to the workers an opportunity to improve their own lives individually or through their union.

Now, it is my understanding that under the National Labor Relations Act we have a system of collective bargaining wherein we have management and labor as counteracting forces and it is the union's responsibility under the NLRB to work not only for economic consideration, for fringe benefits but also for environmental conditions.

So it is the union's responsibility. I always thought, to improve, protect the lives of the workers in the place where they are employed. I assume that you agree that is a function of the union.

Mr. MAZZOCCHI. Yes, I agree that it is a function of the union, a responsibility.

Mr. ESCH. If conditions were so adverse in any plants then the union would have an opportunity to present a grievance and carry it through, and moreover, at contract time they could strike if they thought that the workers' health or safety was impaired; is that right?

Mr. MAZZOCCHI. That is true, if we knew what the situation was that was causing their grievance.

Mr. ESCH. So the point you are making today in your total testimony is we don't know what the problems are because if we did know then we would present grievances and we would go out on strike in order to protect our workers?

Mr. MAZZOCCHI. No, I have no quarrel with the position you have just related. I said in my prior testimony that if we knew, if there were a body of scientific fact and we knew what the consequences were of working with the substances which workers generally work with, yes, workers would take direct economic action.

The fact of the matter is we don't know. We know people are dying of cancer, we know they are dying of emphysema. We know there are all sorts of ailments developing early in life with our people. We relate the stories they have to tell. We have had scientists assist us and say "Yes," there is a great deal we know about some of the things you say; there are things you can implement if you take certain measures. And we will attempt to do that on the next collective bargaining around.

But then members of the scientific community will tell us there are whole areas they know nothing about, yet, and that we are working with chemicals they suspect may be doing this, that, and the other, based on observation, and that something is amiss.

And, too, every threshold level in this book deals with the chemical itself, but not with its action in conjunction with other chemicals.

Mr. ESCH. I want to make sure of the thrust of your testimony. It is not, and I seem to sense you suggested at some times, a direct dereliction on the part of the employer.

Mr. MAZZOCCHI. I do say that exists also. I don't want to pussyfoot about my presentation.

Mr. ESCH. You don't think there has been any direct dereliction on the part of the union?

Mr. MAZZOCCHI. Oh, sure, we are part of that dereliction. I was a local union president for 13 years during a time when there was a pneumoconiosis problem. And shame on me. However, it does not speak well for a system that allows my ignorance to have an effect on hundreds and hundreds of people. No one ever told me.

Mr. ESCH. I think, we are in agreement on that basic point, that there is no question that we need to find out a great deal more from the standpoint of health research about many of the explicit hazards involved, especially in regard to the oil and chemical industry.

Now, will you concur that no matter how much knowledge and information we have, and no matter how responsible industry may be, and no matter how many guidelines that we may have written in manuals any time you get into a hazardous industry such as the oil and chemical industry is bound to be, and would you concur that there still is a basic problem of training the individual worker so he can work safely, given the hazardous conditions that he has?

Mr. MAZZOCCHI. Surely. You must train an individual to familiarize himself with the dangerous substances he is working with. You first

have to identify the substance, then let him know what the consequences are of working with it, while making sure that protective devices are developed for his use, and that monitoring equipment are part of his safety program. That there must be monitoring equipment in the workplace should be enforced by law. Certainly all of those things are very important.

Mr. ESCH. I appreciate that because I am sure we are both thinking from the standpoint of when we finally do all of this within the next decade, hopefully we still have the basic responsibility of the manager or the industry working cooperatively with the union to train the individual worker so he can work safely.

Mr. MAZZOCCHI. Yes, and the millions of workers who are unorganized and don't have the benefit and protection of unions.

Mr. ESCH. You indicate from the national standpoint that monitoring is very important; is that right?

Mr. MAZZOCCHI. Certainly.

Mr. ESCH. You have referred to your study which I find of interest and I think it calls for some action. The question is, Does the union ask that monitoring be done on a regular basis? We find in Walsh-Healey plants, 66 percent of the unions did not ask that monitoring be done and we find in non-Walsh-Healey plants, that 78 percent of the unions did not ask that monitoring be done, so that not only within industry but perhaps within the union movement itself we have to reemphasize the responsibilities of the unions; is that right?

Mr. MAZZOCCHI. Precisely. The need to know and the responsibility to make sure people know are things we must deal with.

I must admit that our investigations show that workers who work under Walsh-Healey never knew they worked under Walsh-Healey contracts, didn't know that it exists, or that this document was part of the law by reference.

Mr. ESCH. Just one other question, a general one, do you really believe that the vast majority of the companies in the oil and chemical industry are derelict when it comes to health, environmental health conditions within an industry, you believe that?

Mr. MAZZOCCHI. Unequivocally, yes.

Mr. ESCH. And you believe it is the exception in which a company is concerned about the individual health of the worker?

Mr. MAZZOCCHI. Absolutely.

Mr. ESCH. I always assumed that you had skilled, many skilled persons working within your union and you seem to imply that if we kill off one we can get another one tomorrow to replace him so industry, apart from all the human factors, and given the assumption that the oil and chemical industry represents the hardest-hearted group of American industrialists, and given the inhuman factor of the American industry, you still maintain that they don't have any economic consideration because if they kill off one worker they can get another one tomorrow?

Mr. MAZZOCCHI. I will define what I mean very clearly. I am not saying that the president of an oil or chemical company is any different from the president of a bakery company. There is a dehumanization that is taking place in the industrial process generally. The corporate head does not know the individual who may possibly die as a result of making a product which is producing profits for him. We



work in that type of environment. If Mr. President of X company saw people toppling over, I am sure he would be equally as moved as you and I.

But the system that we have developed has become very calloused, so that everyone is separated by wide distances from end effects. So I am not saying that the president of American Cyanamid is a big, bad guy.

If five people are dying of cancer out of a work force of 60,000 it is not a meaningful statistic. Just as you and I can read of body counts in Vietnam and not relate to it. But if we know someone who was killed it is an awful big war for us that particular day.

Mr. Esch. I appreciate your answer and the analogy you use is an apt one. I think we are all more and more aware, especially those of us in Congress, about the problem of Vietnam.

I appreciate your testimony and I think we have come to some meeting of minds as to the standpoint of health research, especially as it relates to hazardous environmental conditions.

I am also appreciative of the facts that both management and unions have a responsibility in the area and I am especially indebted to you for your candor.

I am sure in the next decade no matter what kind of guidelines or specific information we have, we may never have sufficient inspectors to go into every single plant within the country as often as it might be called for. Perhaps we will need to develop a structure that will rely more and more upon the interrelationship between management and union within the plant structure or perhaps we will have to rely more and more upon training methods of the individual employees in handling hazardous substances.

Thank you very much, Mr. Chairman.

Mr. O'HARA. Mr. Esch, before you leave, I just wanted to state my disagreement with any system under which the health and safety of the worker is determined in whole or in part by whether or not he has a strong or a weak union or no union at all.

I think that, indeed, is a public responsibility that ought not to be related to whether or not the worker is organized and whether or not his union is safety conscious or not.

Mr. Esch. Mr. Chairman, I believe that under the system which we operate now in collective bargaining that environmental conditions are legitimate issues. Are you suggesting that you want to do away with all environmental conditions as bargaining issues?

Mr. O'HARA. No; I think we should have public stands that would make bargaining on these points unnecessary.

Now, another point I would like to make, before you leave Mr. Mazzocchi, is with respect to this question I asked you earlier about a monetary incentive to do better. In your industry the U.S. Chamber of Commerce brought forward a witness to testify against the bill. That witness was the safety director of the DuPont Corp., Mr. Queener.

Mr. Queener testified before this committee that the injury frequency rate at du Pont was one-sixtieth of the rest of the chemical industry.

I asked Mr. Queener how he explained that. He said because they emphasize safety. His rate was one-sixtieth of the rest of the industry.

So I would suggest that there is some room for improvement in the industry, in the chemical industry. Perhaps this can be accomplished by really making every other company in the industry as anxious and as hot on safety as DuPont appears to be.

Mr. MAZZOCCHI. May I make one final comment? I would suggest to the committee that they proceed on a basis of disbelief of all witnesses, both from industry and unions. The onus should be on us to prove our contention.

I would suggest the place to prove it is in the work place. I suggest that this committee attempt to arrange a meeting of all parties concerned for a grand tour of industry. Develop some ground rules for this tour, and then draw your own conclusions based on an examination of the work place.

Mr. O'HARA. Mr. Mazzocchi, you mentioned these threshold values that are incorporated by reference in the Walsh-Healey Act. Whose threshold values are those?

Mr. MAZZOCCHI. These are developed by consensus method by a group set up by industry called the Conference of Industrial and Governmental Hygienists.

Because this book is unavailable I suggested to them that I be able to print it and pay them royalty and they refused to allow this. We had to scrounge these up from a Xerox service in Ann Arbor, Mich.

Mr. O'HARA. Mr. Esch likes to help Michigan industry.

One last thing, you suggested that the threshold values in that document were different in a number of respects from threshold values arrived at by the public authorities in the U.S.S.R.

Have you done a comparative analysis?

Mr. MAZZOCCHI. We are translating the documents now and I was hoping to have a complete analysis by today. We find, basically, that there is a disparity by a factor of 10 to 20, between our standards and theirs. The Soviets list how they arrived at particular values.

By the way, we were referred to this Russian document by the Documentation of Threshold Limit Values, because it quotes Soviet sources. We don't know who is right, of course.

Mr. O'HARA. Thank you very much.

(The document referred to follows:)

CITIZENSHIP-LEGISLATIVE DEPARTMENT  
OIL, CHEMICAL AND ATOMIC WORKERS UNION

OCCUPATIONAL HEALTH AND SAFETY QUESTIONNAIRE

Local No. \_\_\_\_\_ Location \_\_\_\_\_  
Number of bargaining units \_\_\_\_\_  
Names of companies—list next to the companies the type of production (oil, drugs, chemicals, fertilizers, etc.) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Walsh-Healey Act covers all companies who do work for the Government in excess of \$10,000 per year.

1. Are the companies that you hold contracts with covered by the Walsh-Healey Act? Yes \_\_\_\_\_ No \_\_\_\_\_